

# Depo

1 Q Were you here, did you understand the  
2 admonitions that were given to you  
3 part? Do you want me to continue with  
4 A Yeah, please do that.  
5 Q Okay. Sitting to my right is the court reporter.  
6 My questions and your answers will be recorded.  
7 Do you understand that?  
8 A Yes.  
9 Q And the oath that you were administered, even though we are in an informal setting, is the same oath you would take if you were testifying in a formal setting, is that correct?  
10 A Yes.  
11 Q And the oath that you were administered, even though we are in an informal setting, is the same oath you would take if you were testifying in a formal setting, is that correct?  
12 A Yes.



Litigation Software for Deposition Transcripts



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## A. HOW TO USE THIS TUTORIAL

All of the subject headings have been hyperlinked so that the user can easily jump to the section that is of interest, from time to time. Also, at the conclusion of each section, there is a hyperlink so that the user can jump right back to the Table of Contents.

## B. INTRODUCING DEPO

### 1. WHAT IS DEPO?

There are many case management and trial management programs on the market. However, there are no programs that do what Depo does. As a trial attorney for over 33 years, I have probably seen every litigation software program on the market. While many of them are very good at cross-referencing legal issues and testimony with documents and transcripts, none of them allow the attorney to simply click on a question in the deposition transcript and send it to the printer with the question, answer and page and line numbers, in one fell swoop.

Also, no other program allows you to assign the questions to legal issues and collate them before printing.

### 2. IS DEPO FOR YOU?

If you are a trial attorney or want to be a trial attorney, Depo is for you. I find that I can prepare my trial questions at least five times faster with Depo than any other method; be it handwriting, typing or dictation. And with Depo, there are no typing errors because there is no typing (except for adding questions that were not asked at the deposition).

## C. YOUR FIRST TRIAL BOOK WITH DEPO

Depo is a software program that helps you create a Trial Book from a Transcript in just a few mouse clicks, and much more. This chapter takes you through all the steps to build your first Trial Book in the minimum number of clicks possible. This chapter also provides an overview of Depo's main concepts. Assuming you already installed Depo, this is the first box you see when launching Depo:



Fig. 1

- If you don't have a transcript available, use our sample by clicking the "Open Sample Transcript" button.
- If you have a transcript available, click on "Select Transcript file..." to select the transcript file you wish to work on.  
This selection guides you through the wizard steps. Once you import a transcript, be sure to verify or change to the correct starting page number. For more information see Importing a Transcript in Chapter V.

Once you imported your transcript, this is how the main window will appear to you:

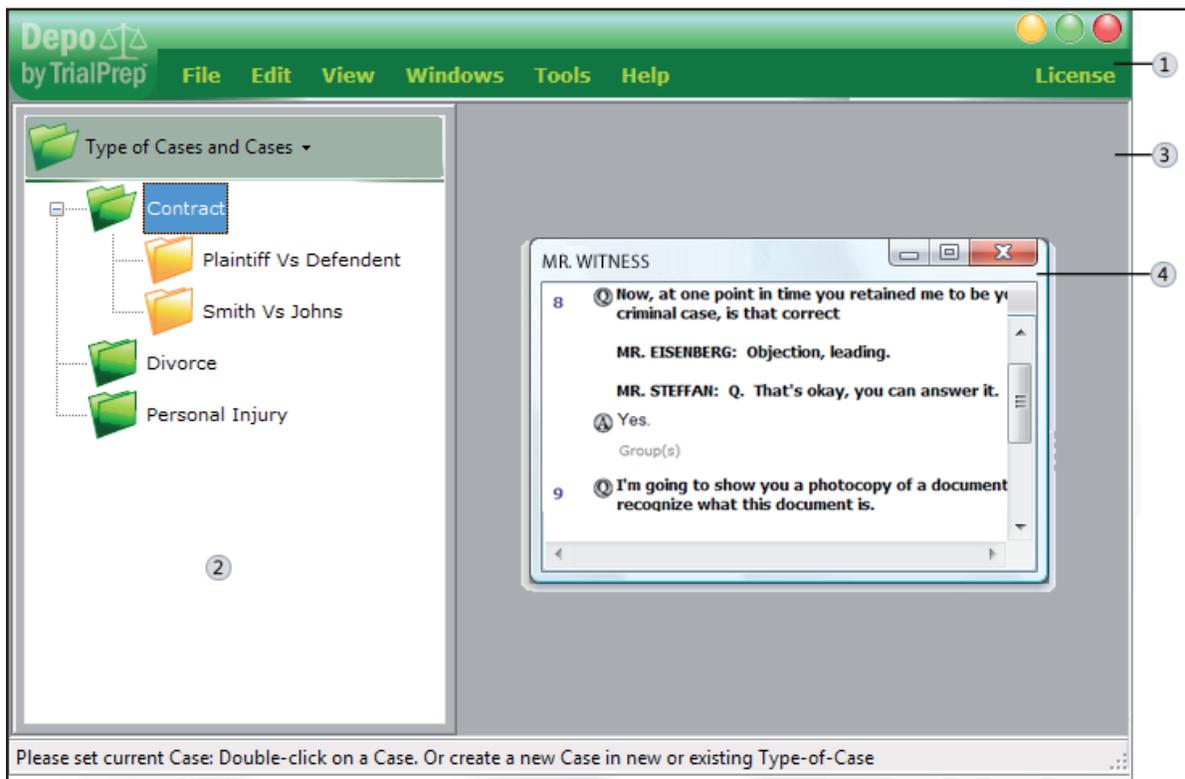


Fig. 2

- 1) The green horizontal zone, access all program features.
- 2) The left panel organizes your Transcripts among them.
- 3) The central area, in gray color, is the workspace hosting one or several Transcript Windows; one window for each transcript.
- 4) Inside the worspace is the Transcript Window displaying your document(s).

Figure 3 is the Transcript Window:

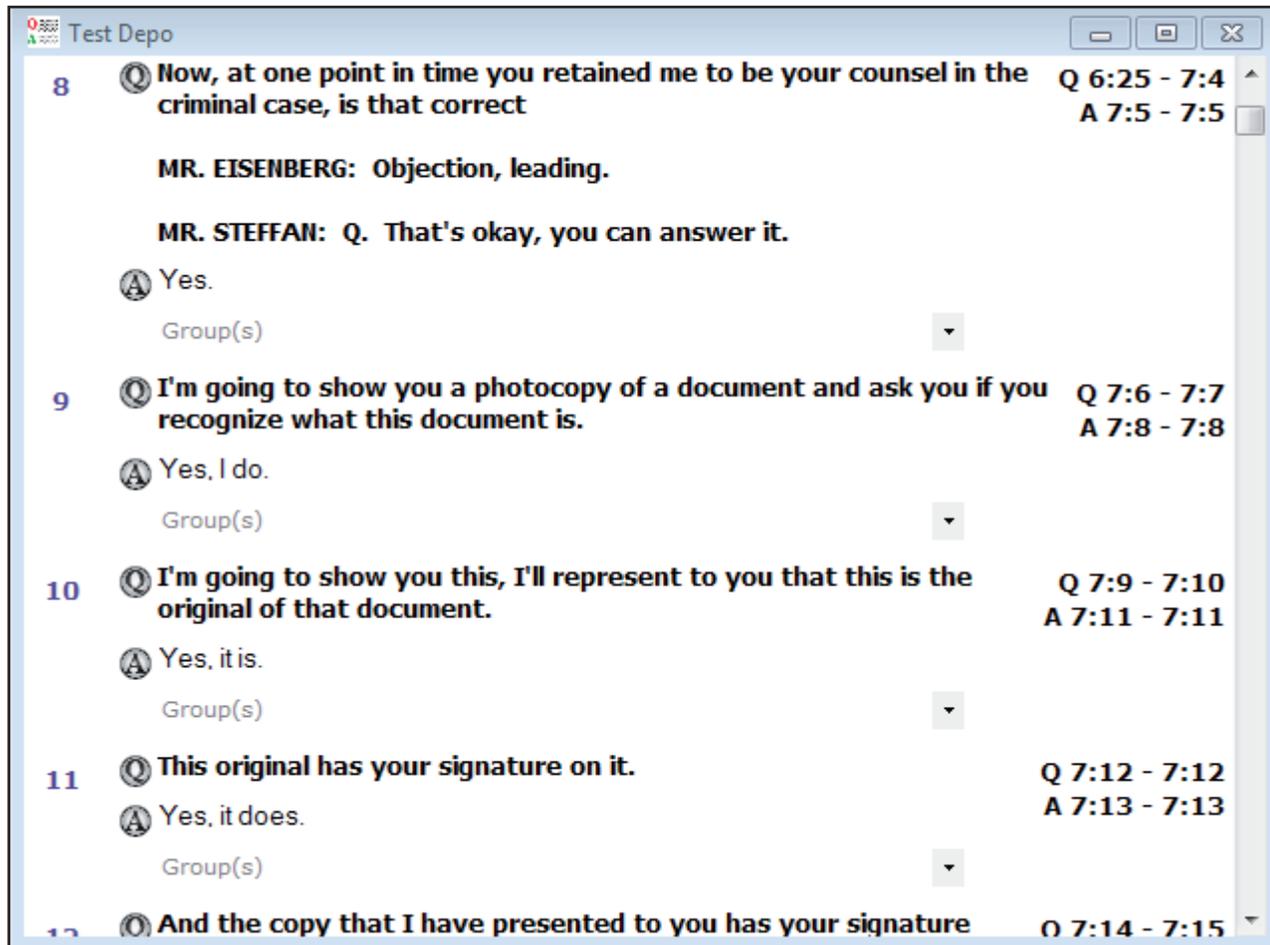


Fig. 3

Transcripts usually appear this way in Depo. Each question appears in bold and is separated from its corresponding answer. On the right side are the **citations**: page and line numbers in the official transcript. We call a **segment** a question and the corresponding answer. You can see that each segment is distinct from the others with a sequential number assigned to it on the left. These numbers are not printed and will be discussed later.

The easiest way to prepare a trial book, or a summary of the transcript, is to click on the segments you want to keep and ignore the ones you cannot use. You do this by clicking on the corresponding  button located in front of each question. The  will turn from gray to red like  this, indicating that the segment has been selected for printing and to appear in your trial book.

The following is an example:

1.	<b>Q</b>	Does that pretty much sum up your educational background	<b>6:20 - 6:21</b>
	<b>A</b>	Yes.	<b>6:22 - 6:22</b>
2.	<b>Q</b>	Before going to work for Defendant, what was your primary or major employment history	<b>6:23 - 6:24</b>
	<b>A</b>	Prior to Defendant, I worked at a company called Trialprep. Do you want the time frames	<b>6:25 - 7:1</b>

Fig. 4

The selected segments appear along with their citations. This is accomplished with just a few mouse clicks instead of having to copy and paste and re-typing citations as you would with any other software program. Depo also eliminates the potential for errors while re-typing.

Our example above starts with a sentence stating that you didn't use the Groups feature which is explained in chapter VII. Had the segments been assigned to a Group, the Group name would have been displayed. The Group feature, like many others, will help you to be perfectly prepared for trial.

This has been a brief overview of how Depo works. In the following chapters we will go into greater detail describing just how unique and robust this program is. We are confident that once you use Depo, you will not be able to prepare for trial again without it.

A. MAIN WINDOW

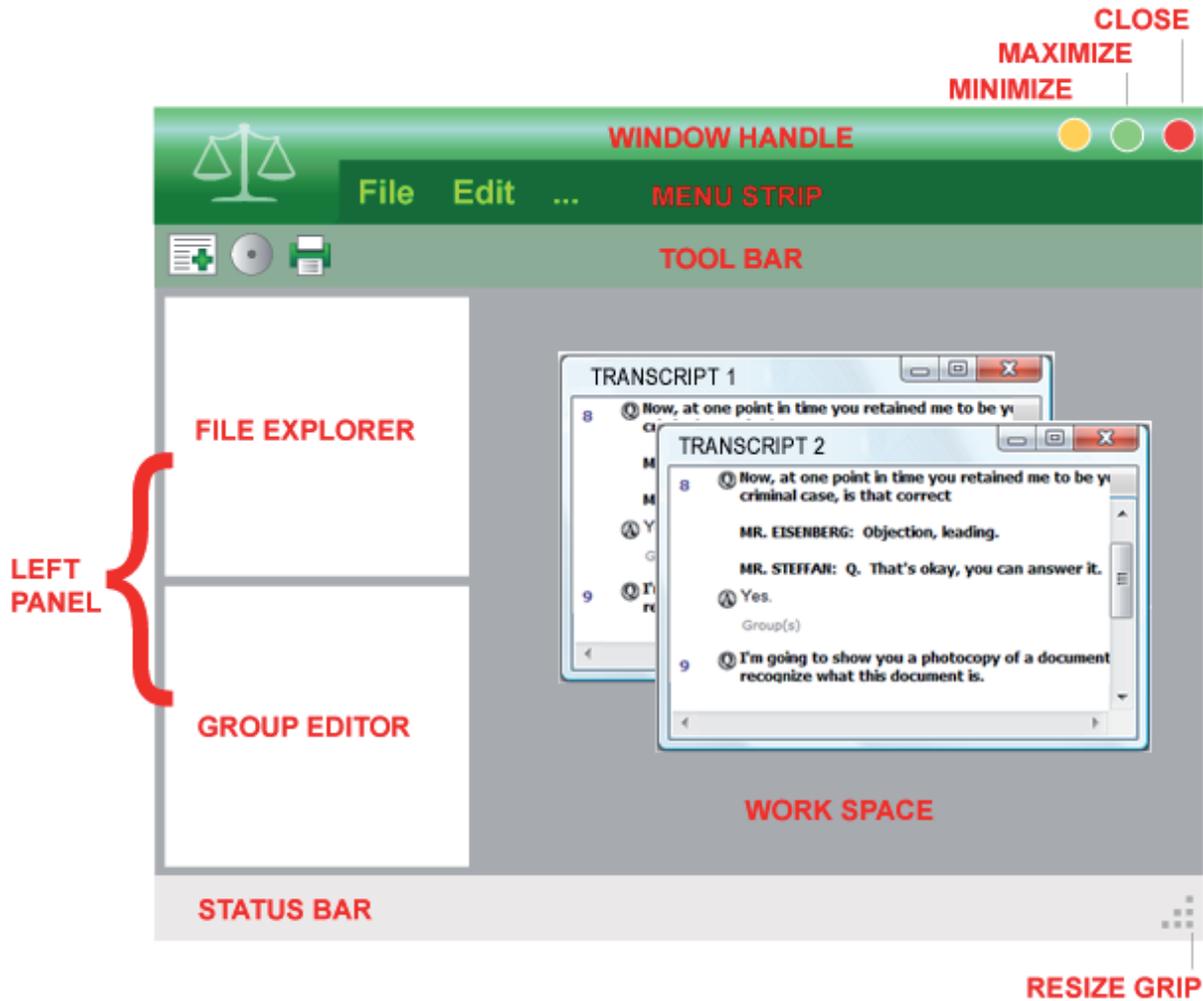


Fig. 5

- **Window Handle.** Use this handle to move the window. Point to its handle with the mouse pointer. Then drag the window to the location that you want. (Dragging means pointing to an item, holding down the left mouse button, moving the item with the pointer, and then releasing the mouse button.)
- **Minimize, Maximize, and Close buttons.** These buttons hide the window, enlarge it to fill the whole screen, and close the program, respectively (more details on these shortly).
- **Menu strip and Tool Bar.** They contain items that you can click on to select program functions.

- **Borders, Corners and Resize Grip.** You can drag these with your mouse pointer to change the size of the window. Again, holding down the left mouse button while resizing.

- **Status bar.** Displays information about the current situation in the program.

- **Workspace.** The area where you will see your transcripts for selecting your Segments. You can work on several transcripts at once. The work space contains the left panel and one child window (a child window is a smaller window in a larger one) per transcript.

- **Left Panel.** Displays the file explorer box and group editor box. It is possible to change the size of these boxes to display more items. (See part B of this chapter). It is possible to collapse these boxes to have a larger work area (See part F of this chapter).

- **File explorer.** Displays and organizes your files and folders. Files are your transcripts. Green folders are your Type-of-Cases and yellow folders are your Cases.

- **Group Editor.** Type and Order your Groups here. Sort the order you want the Groups to print so that your Trial Book questions print in the order you want to ask them.

- **Transcript Window.** Each window displays one transcript. Open as many transcripts as you want (or your screen can handle) to work on. You can change the size of these windows (see part B of this chapter), arrange them (see part E of this chapter), and change the way a transcript is displayed in each window (see Figures 12-14), check if page numbers match or renumber them (see chapter V part B).

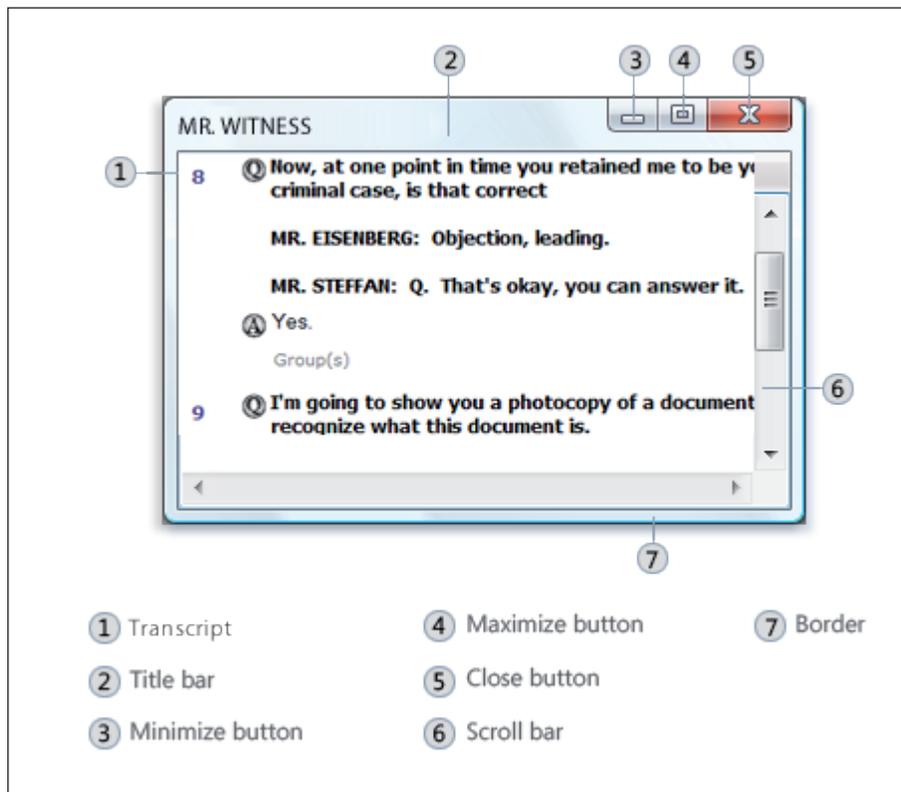
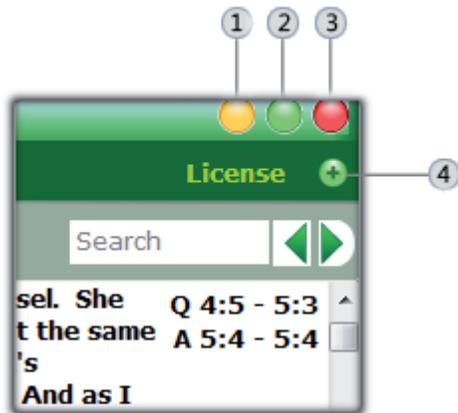


Fig. 6

## B. CHANGING WINDOWS & BOX SIZES



- ① Minimize Depo Window
- ② Maximize/Restore Depo Window
- ③ Close Depo
- ④ Restore Transcript Window

Fig. 7

To resize a window or a box (make it smaller or bigger), point to any of its borders or corners. When the mouse pointer changes to a two-headed arrow (see Fig. 8), hold down the left mouse button and drag the border or corner to shrink or enlarge the window.

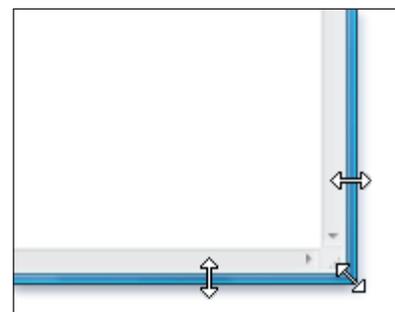


Fig. 8

A window that is maximized cannot be resized. You must restore it to its previous size first.

## C. TRANSCRIPT WINDOW

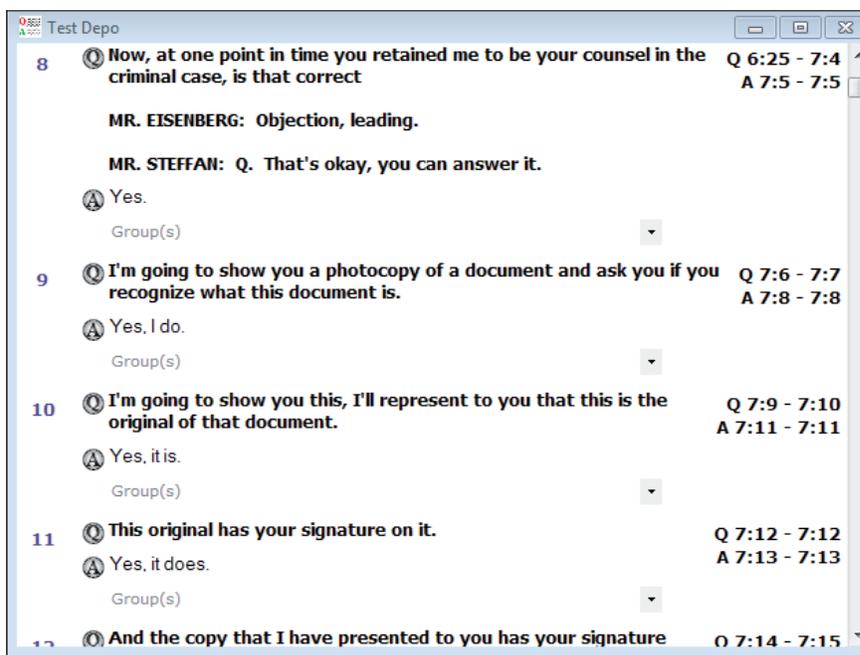


Fig. 9

This is the view (Fig. 9) that you will see when the transcript is ready for work and the starting page number has been confirmed. It is here that the user will select questions and answers (Segments) that the attorney wishes to ask the witness at trial.

For transcripts prepared in the United States format, going down vertically on the left side of the screen you will see numbers in sequential order. These numbers are implanted by the program for ease of use. For instance, if you want to select specific Segments, having a number for reference makes the task much easier. The numbers will not be seen when the work is printed.

For transcripts prepared in the Canadian format, the Canadian transcripts already have these numbers so they will be seen.

On the right side of the screen you see the citations (page and line numbers) to the transcript. To the right of the Q is the page and line number where the question begins and ends. To the right of the A is the page and line number where the answer begins and where it ends. You can select different formats in Page Setup that will be discussed in Chapter IX part A later. To the left of the text you see a Q for the question and an A for the answer. If the user wishes to capture both the question and the answer, then he or she will click on the Q and both will be selected. However if the user only wants the answer and not the question, then only the A is clicked on and only the answer will be captured by the program (when either the Q or A is selected, they will be highlighted so that the user knows which segment or answer has been selected).

We have included this feature because sometimes a witness will give a rambling response to a question that may be pertinent to more than one question. Therefore, the answer can be assigned to various Groups (the Segment can be assigned to more than one Group also, as explained later in Chapter VIII).

When you open a transcript on subsequent occasions, you will be taken to the last Segment you selected. This way you do not have to scroll through hundreds of pages in your transcript, especially appended volumes, to continue your work.

## D. MULTIPLE WAYS TO VIEW A TRANSCRIPT

You have several options on how you want to view your transcript.

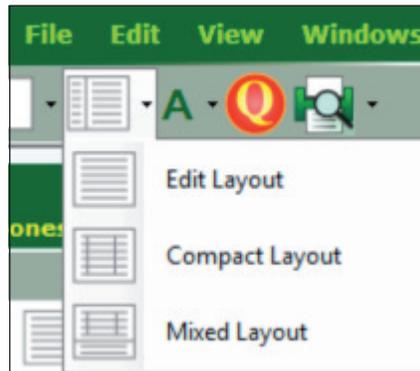


Fig. 10

- Edit Layout (see Fig. 43, *infra*) is the most likely used version and is the default.
- Compact layout displays your transcript in a table. Each row contains one segment. Each column is resizable. This is a convenient format if you want to get an overview of your transcript, or fit maximum information in a minimum area.
- Mixed layout is a compromise between Compact layout and Edit layout. You will have the transcript overview in the top part of the window. Meanwhile, in the lower part of the window, appears the current selected segment like in the Edit layout. You get a compact display as well a full edit possibilities.

## E. ARRANGING TRANSCRIPT WINDOWS AUTOMATICALLY

When you have more than one transcript open at a time, you can select the view you prefer by clicking on Windows on the Menu Bar and selecting your preferred arrangement.

- Cascade is seen in Figure 12
- Vertical is seen in Figure 13
- Horizontal is seen in Figure 14

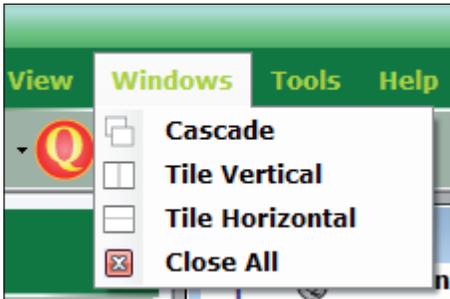


Fig. 11

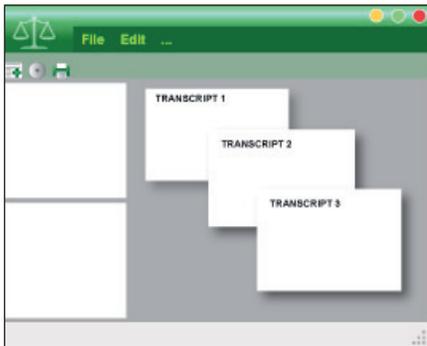


Fig. 12

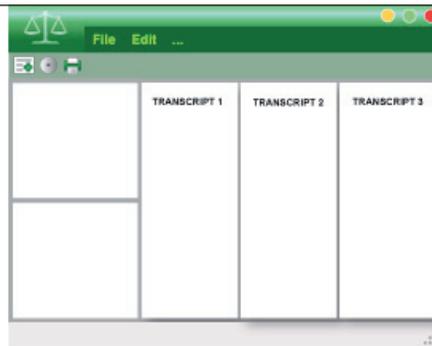


Fig. 13

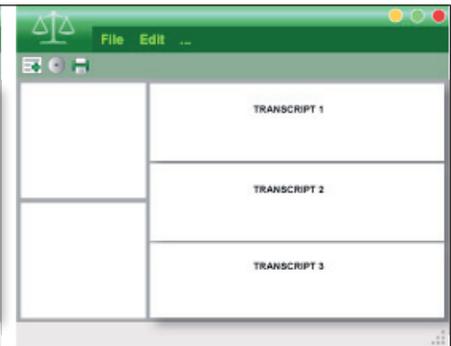


Fig. 14

[Top](#)

## F. LEFT PANELS

The Left panels contain two important boxes:

- The File/Folder Explorer.
- The Group Editor.

You have several viewing options for the left panel. We have been using the Show All format, where you see the Cases and the Groups below the Cases. You can choose to see the Cases only, Groups only or none.

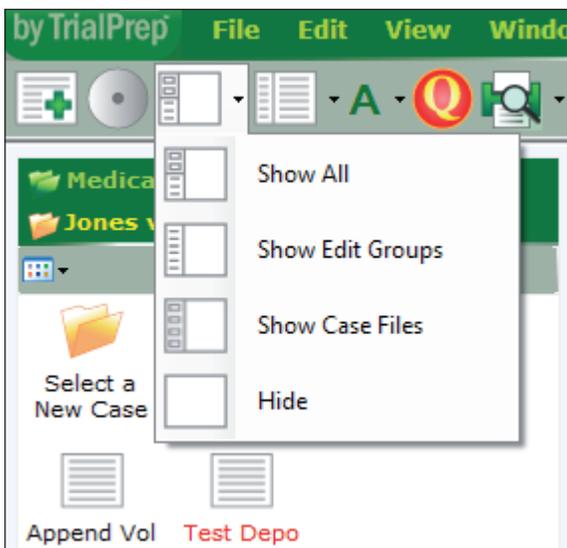


Fig. 15

# Chapter III

## TYPE OF CASE & CASE NAME (MANAGING YOUR TRANSCRIPTS)

### A. FILE'S & FOLDER'S EXPLORER

On the left side of the main window you see a box with a white background under the banner “Type of Cases and Cases.” This is where you manage your transcripts. The concept is the same as Windows Explorer. You can go up or down levels by double clicking on the folder icons. This is where you create/delete your Types of Cases; Cases and import/delete your transcripts (including archiving transcripts).

### B. CREATING A TYPE OF CASE

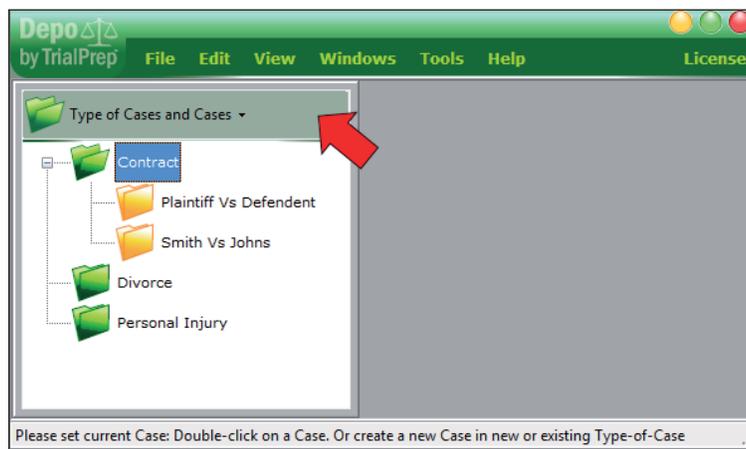


Fig. 16

When you start Depo, this is the screen that you will see. The screen may be smaller than you prefer so you can enlarge the screen by resting your mouse cursor on the right lower corner and drag the screen to the size you wish to work in.

The first time you use Depo you'll want to create a Type of Case and a Case File. In this example we will create Medical Malpractice as a Type of Case and Jones v. Smith as the Case File.

We recommend that you create a Type of Case for each area of law that you practice. The reason is because the Groups you create are saved for future use on similar types of cases so you don't have to create commonly used Groups all over again. Groups that you use in a personal injury case are unlikely to be used in a contracts case and vice versa. If you use our recommendation, you will not have Groups cluttering your screen that you would not use on the case you are working. We will discuss more about Groups shortly in Chapter VIII. We also recommend that you create a Case File (typically the name of the parties) so that you will be able to find the transcripts with ease from time to time (See Chapter V part C).

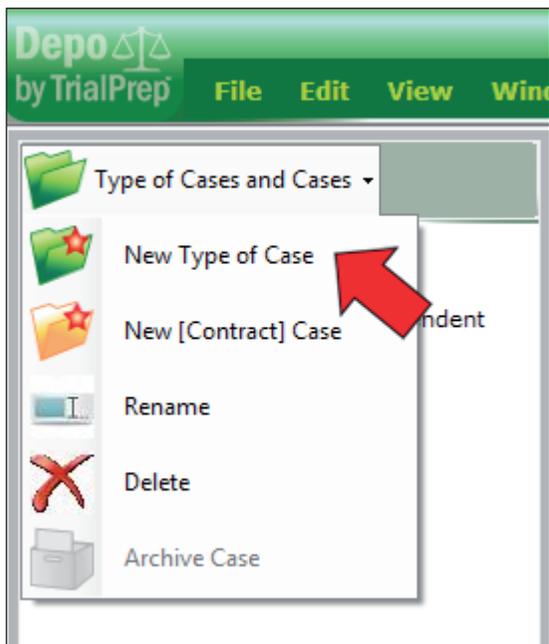


Fig. 17

To create a Type of Case you click, in the File Explorer box, on the down arrow to the right of “Type of Cases and Cases.” The dropdown box gives you several options. Left click on New Type of Case (see Fig. 17).

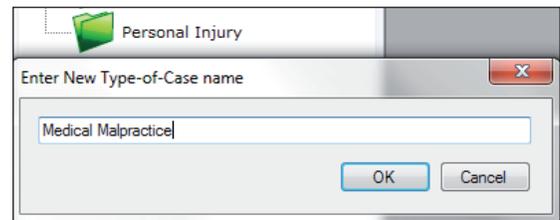


Fig. 18

The Enter New Type-Of-Case Name box opens where you can type the new Type of Case name (see Fig. 18).

As you see, you can also rename an existing Type of Case if you prefer (see Fig. 19).

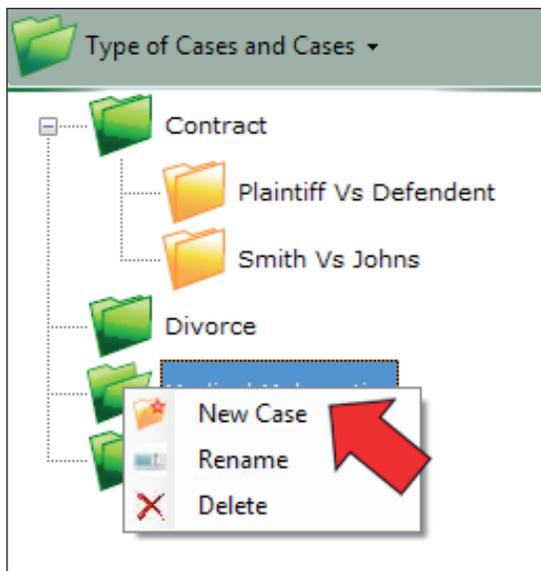


Fig. 19

## C. CREATING A CASE

Right click, in the File Explorer box, on the Type of Case folder (see Fig. 19) you want to work in. In this case we selected Medical Malpractice. A box opens with several options.

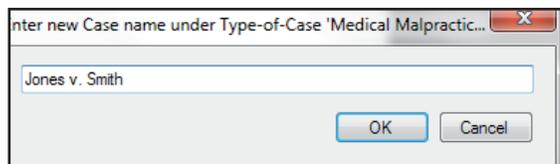


Fig. 20

Click on New Case. Type the name of the parties in the window that opens and then click OK. (see Figure 20).

You now have your new Type of Case and your new Case folders as seen in the file tree (see Figure 21).



Fig. 21

Top

Top

## D. SELECTING A CASE TO WORK ON

The File Explorer shows alternatively:



Fig. 22

- A tree of Type of Cases and Cases represented by green and yellow folders (see Figure 19).
- Or the Transcripts files belonging to the current selected Case (see Fig. 23, *infra*).

Double click, in the File Explorer box, on the case you want to work on. The File Explorer now shows the current case, but it has no transcript file yet to display (see Fig. 22). You will see the Type of Case and the Case Name in the banner. This is where you will see and import your transcripts. You can return to the Type of Case and Cases view by double clicking on the Select a New Case folder. You can also return by clicking on the green banner near the top of the window, where you see the Type of Case and Case Name.

## A. ARCHIVING A CLOSED CASE

When a case is concluded, you will want to remove it from the active case list but you may not want to delete the work in case future events require additional work. Double click in the File Explorer box on the Select a New Case folder (see Fig. 23) and you will be returned to the Type of Cases and Cases list (see Fig. 25).

You can also click in the green banner above the icons to be returned to the Case List.

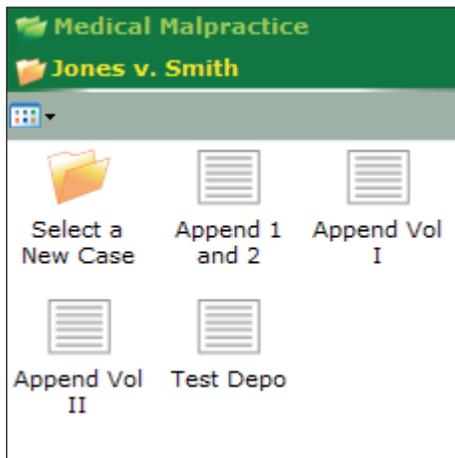


Fig. 23

The Case File folder will disappear (see Fig. 25).

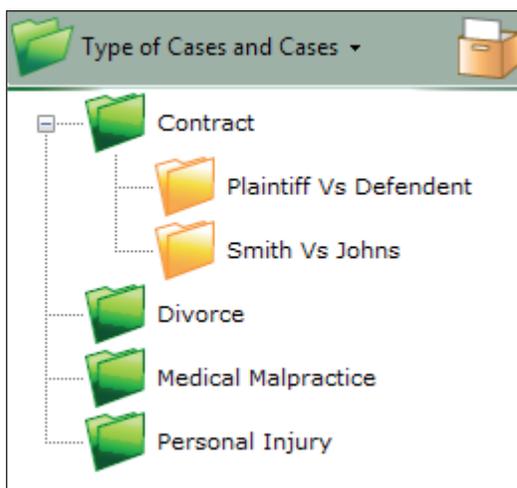


Fig. 25

Right click one time on the case you want to archive and then click on Archive Case.

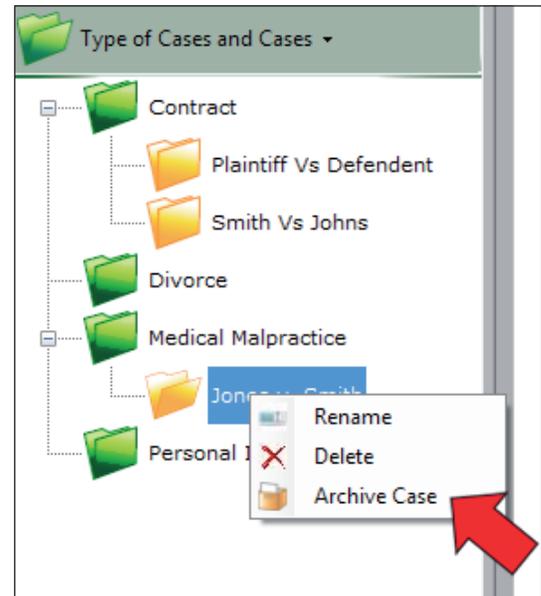


Fig. 24

## B. RESTORING FROM ARCHIVE

To restore a case click in the File Explorer box, on the file drawer in the right corner (see Figure 25, *supra*). You will be taken to the Archive window (see Fig. 26). You will note that the File Drawer has moved to the left and on the right replaced by a Type of Case Folder.

Clicking on the green folder will return you to the Type of Case and Cases window.

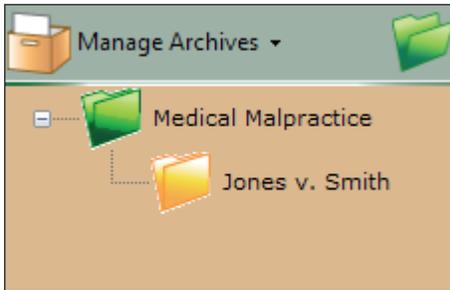


Fig. 26

If there was only one Case in the Type of Case folder, then the Type of Case will disappear (see Fig. 28).

Click on the green folder in the right corner to be returned to the Type of Cases and Cases list (see Fig. 29).

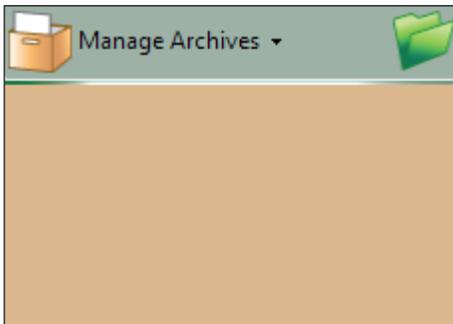


Fig. 28

Right click on the case you want to restore and click on Restore Case (see Fig. 27).

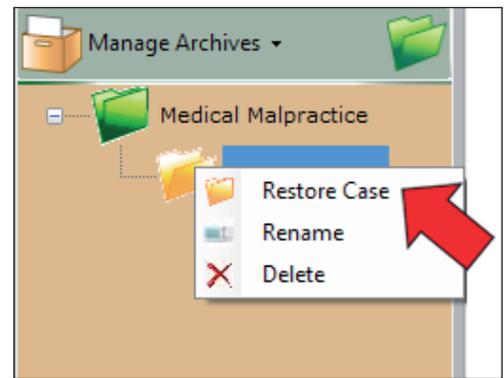


Fig. 27

There you will see your case restored.

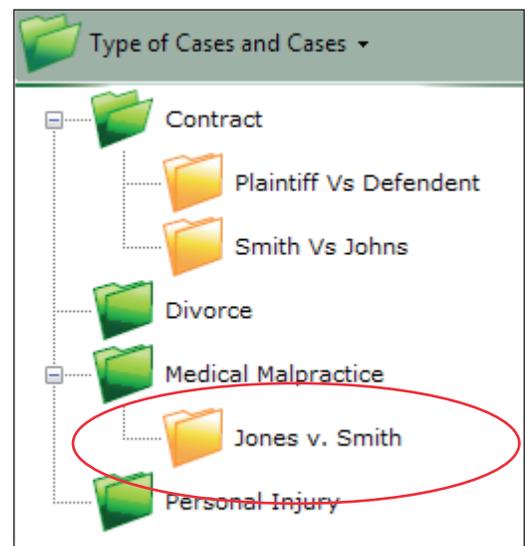
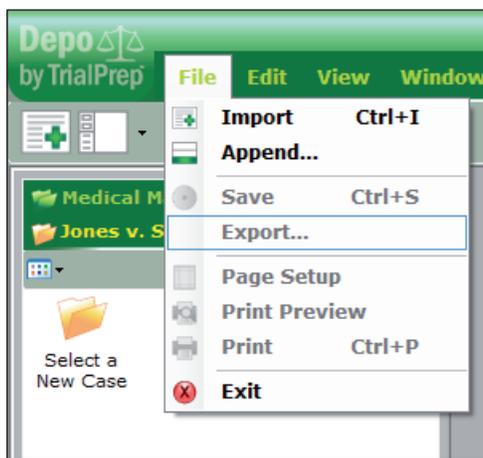


Fig. 29

## A. IMPORTING A TRANSCRIPT

You can import your transcripts by either the drag-and-drop method or by clicking on File on the menu bar; and then click on Import.



The import box opens (see Fig. 31) allowing you to search through your hard drive to where you saved the transcript or go to your CD (flash drive) drive to import from there if you have it on a removable medium.

Highlight the transcript of interest and click on Open.

Fig. 30

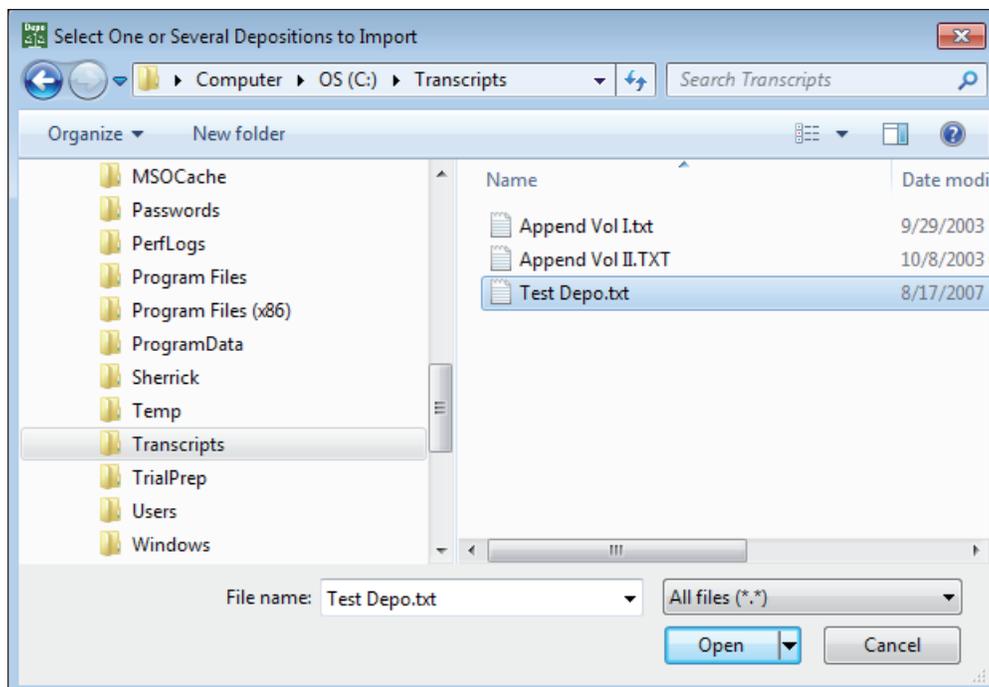


Fig. 31

## B. VERIFYING/CHANGING THE STARTING PAGE NUMBER

It is important to remember that Depo ignores pages that do not have questions and answers. The reason is that Depo focuses on the Q and A the transcript reporter uses to identify the questions and answers in the transcript. Therefore, Depo will look for the very first Q in the transcript and identify that as the “starting page.” Because Depo is not always accurate, we have to perform the following step first.

This is what will be seen (see Fig. 32) when the transcript is imported. At this stage you want to confirm that Depo has correctly assigned the page number where the first question begins. Here you see that Depo thinks the first page is page 5. If that is correct (you can verify with either the paper copy of the transcript or by clicking on the Show Transcript >>> button), click OK. If the starting page is other than what is seen, just highlight the number and type the correct page number and click on OK.

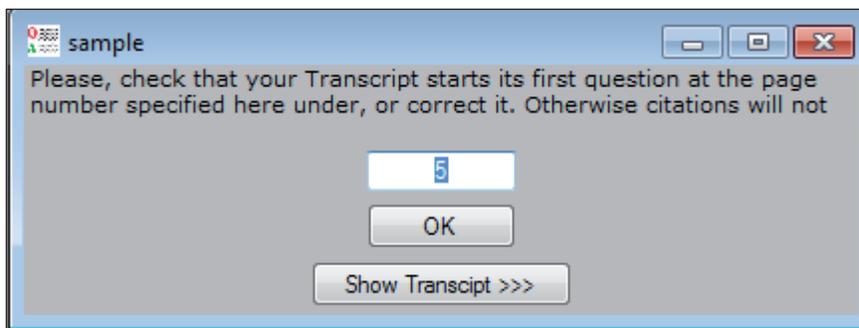


Fig. 32

## C. RENAMING A TRANSCRIPT

We have experienced that on many occasions the transcript reporter names the transcripts with unintelligible coding; such as dates followed by initials. In order to know which transcript goes with which witness, you may be required to rename the transcript. Doing so will only affect the name you see while using Depo. No operation in Depo ever affects the actual transcript you received from the reporter.

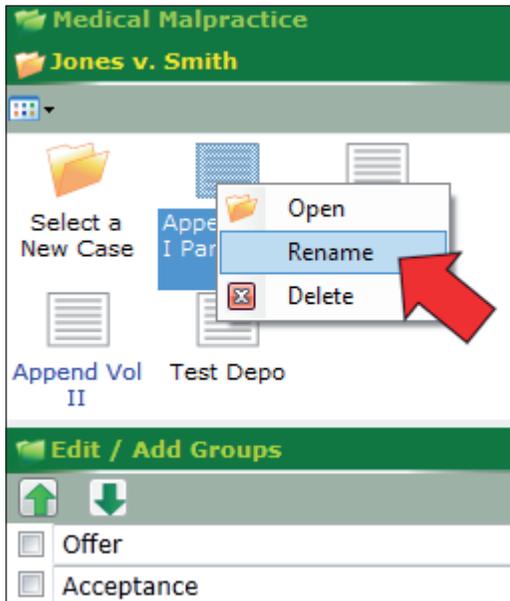


Fig. 33

Click on Rename, and you will see that the name of the transcript is highlighted.

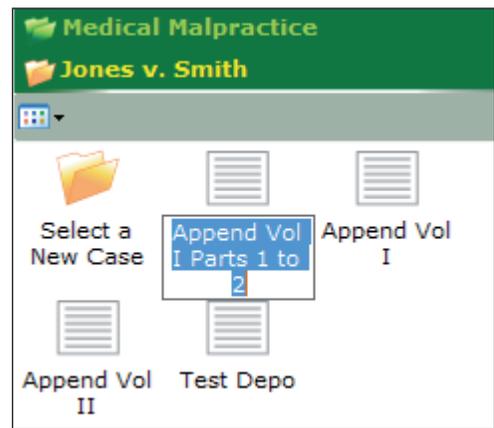


Fig. 34

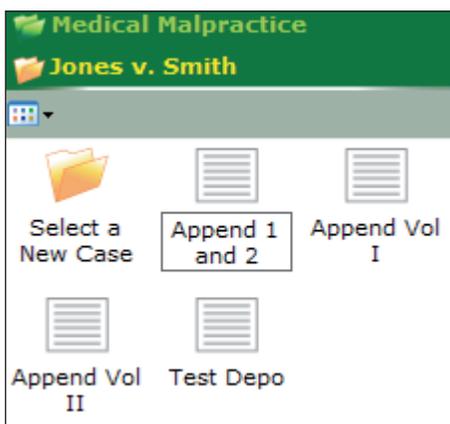


Fig. 35

Just press the Delete key on your keyboard and type the new name, in this case we changed “Append Vol I Parts 1 to 2” to “Append 1 and 2.”

It is not unusual for the transcript of a witness to span several volumes. Therefore we have included an Append feature. You can append two or more volumes into one file. The reason for this feature is that if the witness is asked questions about issue A in volume 1 and then again in volume 2 all relevant questions to that issue can be collated together by assigning them to the same Group; regardless of where they are found. This feature applies in both single transcripts, or multiple transcripts that have been appended.

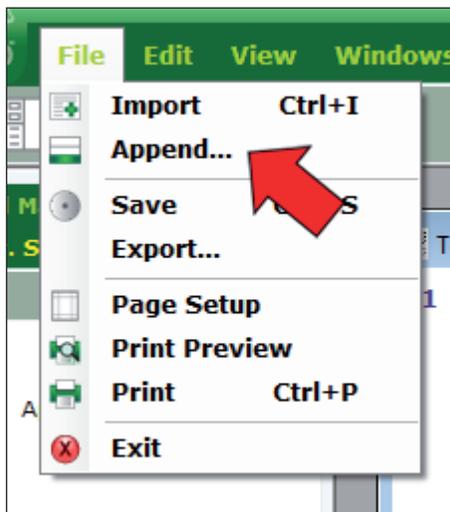


Fig. 36

In order to append multiple volumes, they must all have been imported into the Case File. Further, they all must be open and their starting page numbers confirmed. You will recall that the starting page number is the page number where the first question is found. Once all the transcripts have been opened, click on File and then Append.

In the example (see Fig. 37) you see volume 1 and volume 2 of the transcripts opened.

When you import the transcripts you want to append, Depo will ask that you verify the starting page (the page where the first question is asked). Then when you execute the append command, you will be warned that confirming the starting page number should be done. Once the append option has been exercised, the page numbers cannot be corrected like they can with only one transcript.

**CAUTION: IF YOU DO NOT CONFIRM THE CORRECT PAGE NUMBERS IN APPENDED VOLUMES, YOU WILL HAVE TO MAKE THE CORRECTIONS BY HAND OR RE-DO YOUR WORK.**

The transcript names are in the upper left corner of the transcript window. Depo will know if the starting page numbers have been confirmed or not.

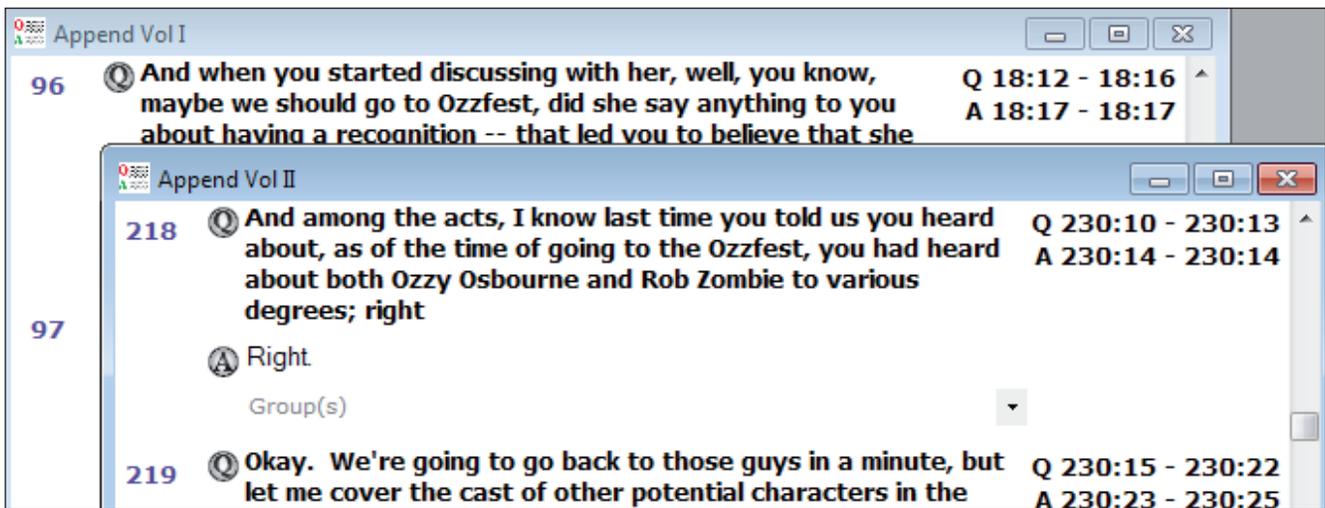


Fig. 37

During the Append process you will receive the warning in Fig. 38. If you need to renumber your transcript, click on Edit, Renumber Pages.

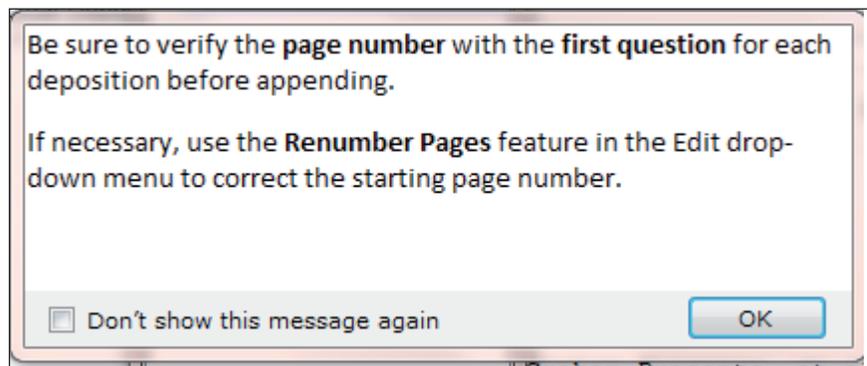


Fig. 38

Sometimes it is difficult to tell if the transcript reporter numbers the pages of the transcript at the top of the page or the bottom; when looking at the transcript in Depo, or even WordPad. Therefore, if after doing your work you note from the printed transcript your page numbers are off, all is not lost. Simply click on Edit on the Menu Bar and select Renumber Pages. You will be taken back to the Validate Page Numbers window (see Fig. 32, *supra*) where you can make the correction. All citations will be corrected. If you have already printed your work, you will have to print it again. If you have not printed, when you do, you will have the correct citations to the transcript.

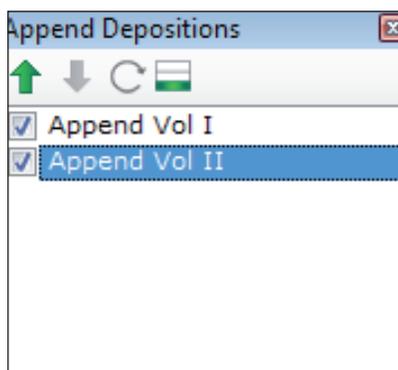


Fig. 39

Otherwise you see the Append Transcripts window and in that window will be the names of all of the volumes that are presently open. Use the green up or down arrow (see Fig. 39) to order the transcripts in sequential order. Then click in the box to the left of all of the transcripts you wish to append. Then click on the Append icon (the rectangle to the right of the partial circle). **Note: If you do not append in the proper order, you will have to delete the appended volume and append again.**

After clicking on the Append icon, in your Case File window you see the first two volumes as they were originally (see Fig. 40) and you will also see the appended volumes. Further in the transcript window to the right you again will see the first two volumes and then the appended volume indicating by the name that both volumes are in one file.

In the left pane you will see the names of the transcripts in one of three colors. Black indicates that the transcript is not open or being used. Red means that the transcript has been or is being worked on but the work is not yet saved. Blue means that the transcript is open and all work to date has been saved.

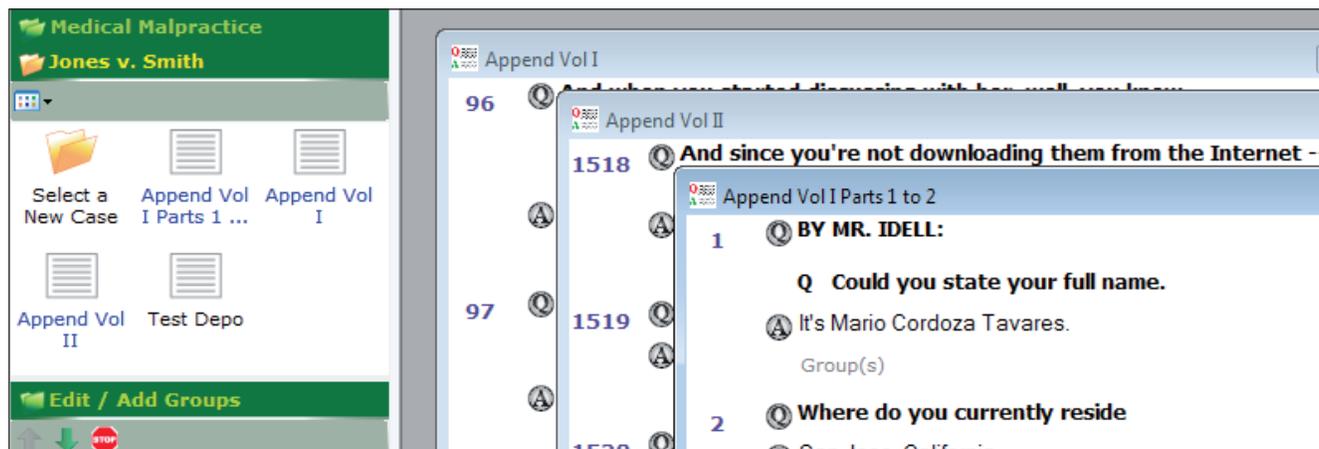


Fig. 40

## A. U.S. DEPOSITIONS AND CANADIAN DISCOVERY TRANSCRIPTS

Depo has been designed to work with both U.S. and Canadian transcripts. In order for the user to more easily work with some features of Depo, the program inserts a sequential number to the left of each question. These numbers will not be printed.

On the other hand, the Canadian format is to have each question sequentially numbered in the official transcripts. Therefore, the numbers seen to the left of the questions by our Canadian customers will be printed.

## B. TIME TAGS

Because the printed version of video recorded depositions have time tags in the left margin, we have programmed Depo to print those time tags in the event the attorney finds them useful.

## C. PDF - SCANNED AND CONDENSED

Depo cannot import PDF scanned format because it does not recognize letters/words appearing in images. Other software programs convert scanned text to editable text. They are called Optical Character Recognition (OCR) programs. Because these programs are not error free, Depo does not support such a function. Depo assures the user that the text seen is exactly as the deposition reporter typed it. So far OCR programs cannot make that claim.

Depo does support PDF transcripts that are saved in that format by the deposition reporter. After several years, we have not received any complaints that the transcript imported into Depo was any different than the official transcript.

Depo can import condensed transcripts. We call condensed transcript PDF files containing 4 transcript pages per printed page.

## D. PTX - SPECIAL E-TRANSCRIPT INSTRUCTIONS

E-TRANSCRIPT: Many firms receive their transcripts in E-Transcript format. Those documents will have a .ptx extension. E-Transcript documents cannot be imported directly into Depo. All the user has to do is open the transcript using the full E-Transcript program or the free E-Transcript Bundle Viewer, downloadable from <http://www.reallegal.com/download.asp>. Launch the program and click on File, Open. Select the transcript to be imported and open it.

Once the transcript is open, click on File, Save As, Transcript, ASCII. Be sure you know where you want to save the file. We recommend you save it to your desktop. That way, when you open Depo, you can drag-and-drop the transcript into your Case Folder.

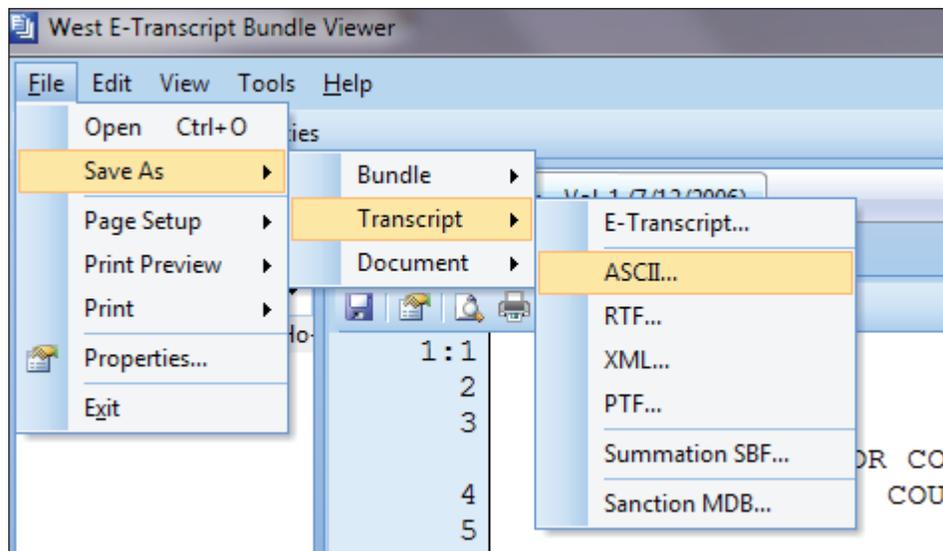


Fig. 41

## A. SELECTING A SEGMENT OR SELECTING ONLY THE ANSWER

Depo ignores all Segments, questions or answers that are grey. By grey, we mean the **Q** and or **A** to the left of the text is grey.

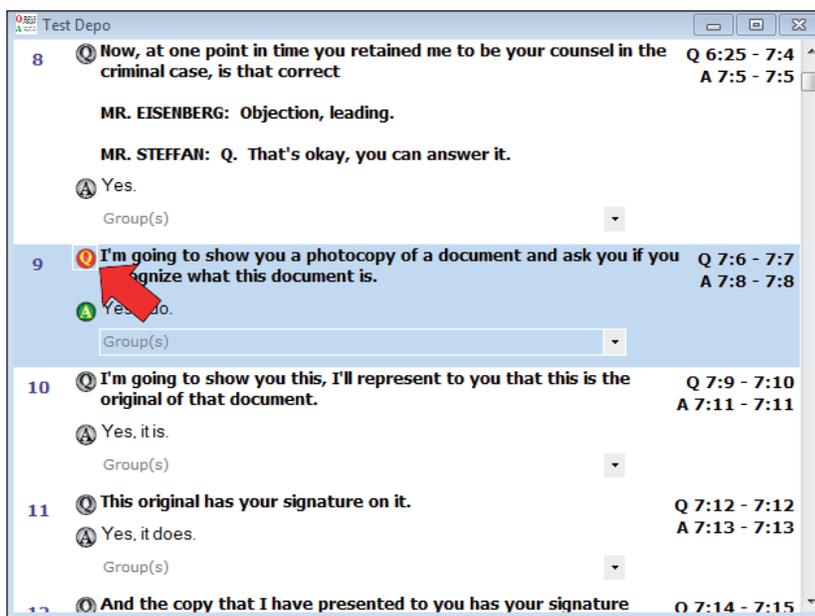


Fig. 42

There may be times that an answer encompasses more than one legal theory or issue. Therefore, we have added the feature that allows the user to select the answer only, which can be assigned to several groups. (see section C of this Chapter).

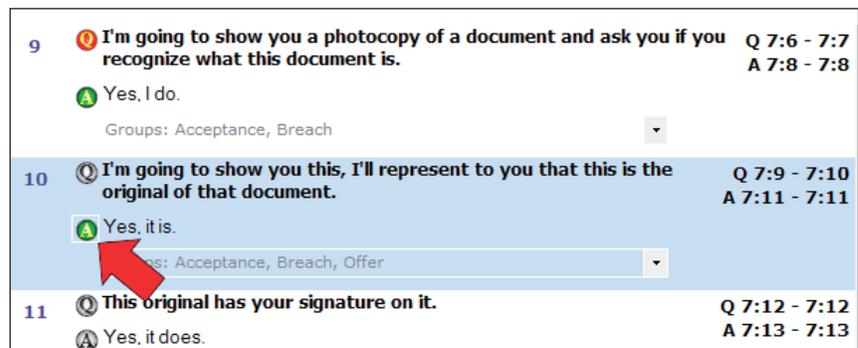


Fig. 43

You will note that only the **A** is highlighted for segment 10, but assigned to three groups.

## B. SELECTING/DESELECTING ALL (MANY) SEGMENTS AT ONCE

Customers have asked for the ability to select all segments in a transcript at once. When you highlight any segment in the transcript by simply clicking in the question area, the number of pages and the number of segments in the transcript are revealed in the lower left corner of the screen.

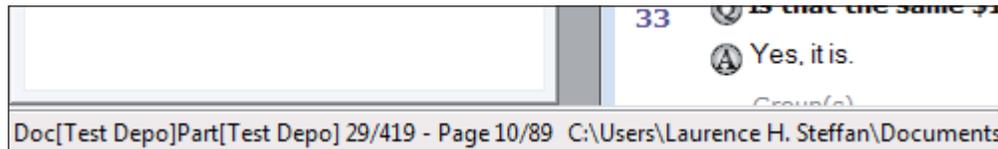


Fig. 44

In our case the name of the transcript is Test Depo, we are on segment 29 of 419 and on page 10 of 89.

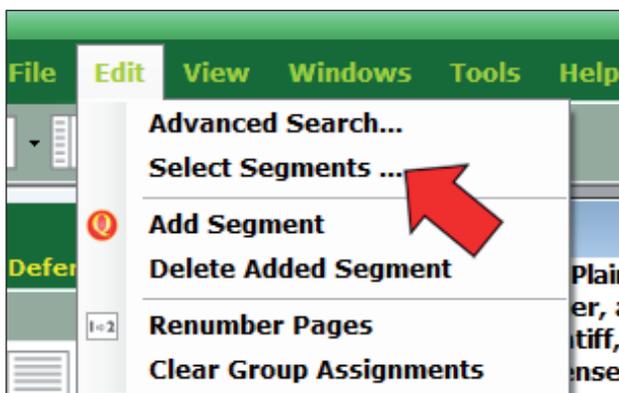


Fig. 45

So, if I wanted to select all segments, in the Segments bar I would type 1-419. You also have the option of selecting any number or combination of segments by using the format in the example. You may realize that you did not change the Group assignment and need to reassign one or more segments to another Group. Or you may change your mind about a previous Group assignment and want to change all segments in one Group to a different Group name.

You start by clicking on Edit and selecting Select Segments.

The window in Fig. 46 will appear.

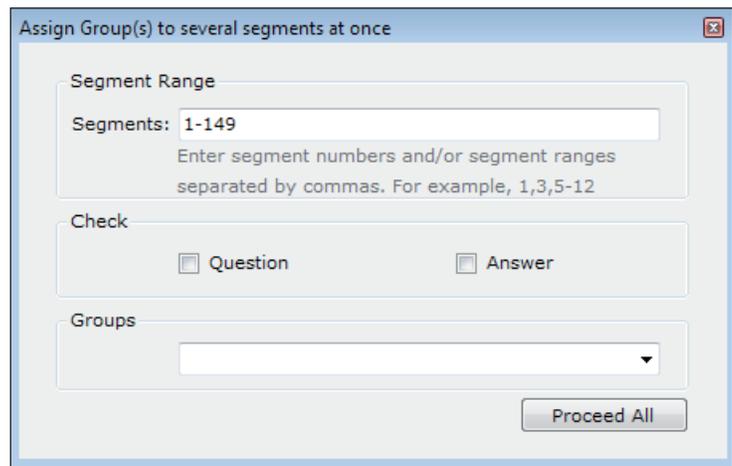


Fig. 46

You also have the option of only selecting the question or the answer, depending on your needs.

You can deselect segments in the same manner. Again, you will click on Select Segments under the Edit menu. You enter the segment range in the Segments box, but you make sure the question and answer boxes are not checked. Click on Proceed All and all of the chosen segments will be deselected.

## C. CREATING GROUPS

A major feature of Depo is the ability to coordinate your Trial Book. As you know, a specific subject matter may be addressed in a transcript in more than one location. However, when questioning a witness at trial, the attorney does not want to “jump around” as that confuses the jury. Depo solves this issue by using the Group method. What in Depo we call Groups, attorneys may be more comfortable using “legal issues” or “legal concepts.”

We use Groups because with Depo you can collate (group) all similar legal issues together, no matter where they are found in the transcript or appended transcripts. This is done by assigning each Segment or Answer to the Group that best describes the legal theory it belongs to.

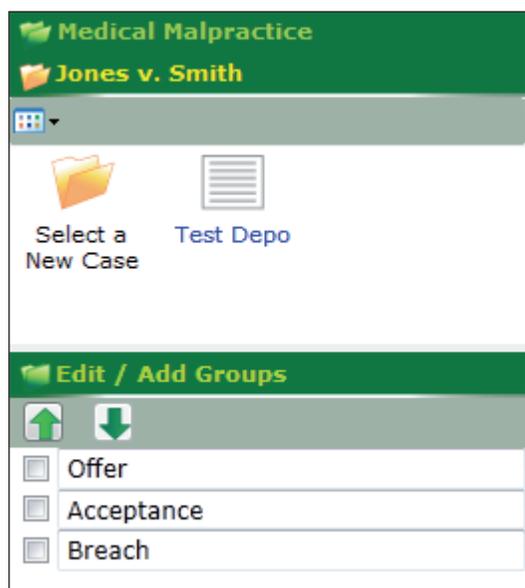


Fig. 47

The user creates the names of the Groups by typing them in the window under the Edit/Add Groups window located in the lower part of the left panel (see Fig. 47). Be sure to remember that in order for the Group to be created, you must press the Enter key on the key board after you type the Group name.

In this case I created the three Groups you see in Figure 47. By the way, if you rest your mouse cursor on the very top of the Edit/Add Groups box, it will change to the familiar horizontal line with an up and down arrow. Hold down the left mouse button and you can resize the box containing your transcripts.

When you get ready to print your work, placing a check mark in the box to the left of the Group, selects that Group for printing. You can arrange the order you want the Groups to print. The green arrow allows you to change the order of the Groups. You create this order by

left clicking once on a Group to highlight it. Then you move it up or down with the appropriate green arrow.

Once you reposition the Groups, that is the order in which they will be printed. This way, your Trial Book will have the examination flow you want. When you have finished, all of the “unused” Groups will be below the “used” Groups that will be ignored by Depo for this session.

As you go along, you will add more and more groups to your Type of Case. You can delete your Group(s) whenever you want; but you might want to save many for future use, even though you may not use them for every transcript.

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## D. DELETING GROUPS

Groups are easily deleted when you highlight the Group by dragging your mouse over the word holding down the left mouse button as you would highlight any word in a document. Then press the delete key on your keyboard.

## E. WORKING WITH GROUPS

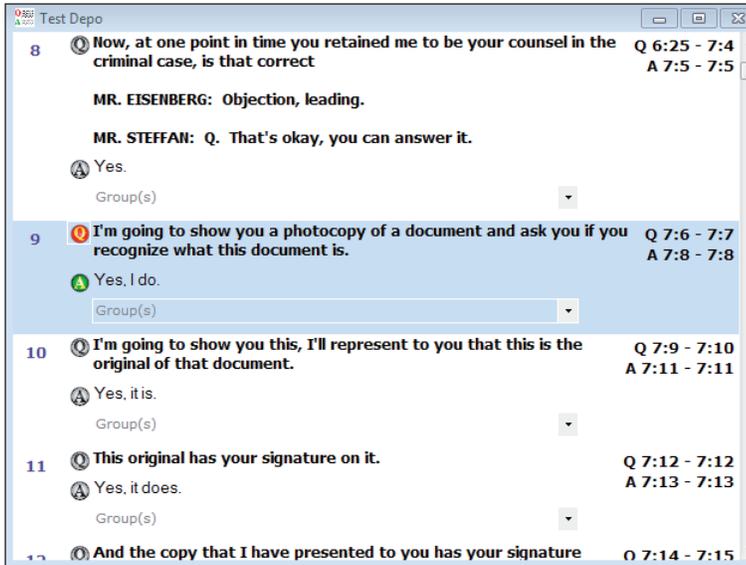


Fig. 48

Click on the drop-down arrow and you will see the Groups you have created.

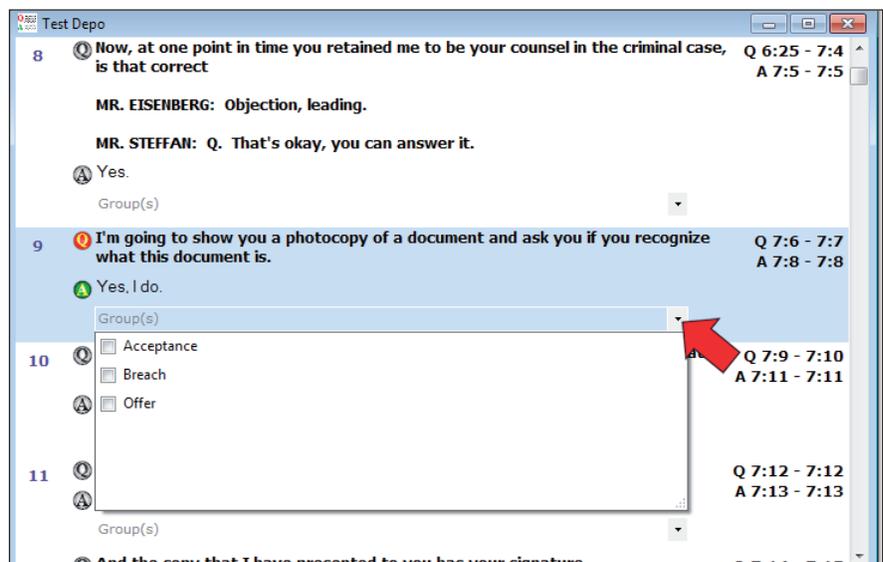


Fig. 49

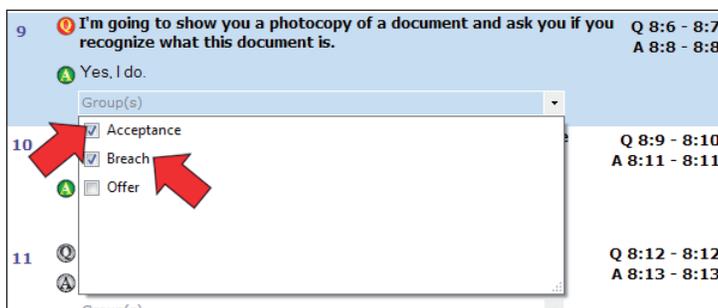


Fig. 50

Below the answer you see the word Group(s) and to the right of Group(s) you see a drop-down arrow.

Check the box of the Group(s) you want to assign the segment or answer to.

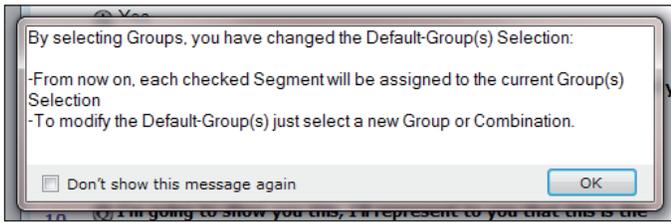


Fig. 51

You now see the Groups you have assigned the Segment to. You can always change the Group assignment by clicking on the Group Box (drop-down) arrow and unchecking or checking other Groups.

**Once you select a Group(s) for use, each time you click on a Segment or an answer, they will be assigned to the same Group(s) until you modify (change) the Group selection(s).**

You can assign a Segment (or Answer) to as many Groups as you find relevant. When you click outside of the Group Assignment box, you will be notified that you have changed the Group assignment. You can disable the warning if you wish.

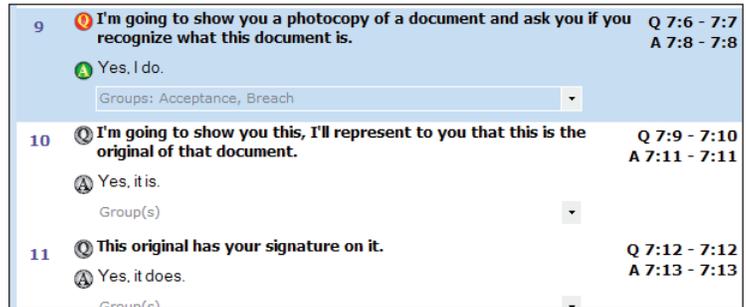


Fig. 52



Fig. 53

As you go through the transcript, assigning Segments/Questions to various Groups, there are two ways to deselect the last Group(s). One, you can open the Group selection box:

And uncheck the unneeded Groups. Another solution is to Click on Edit and select Clear Group Assignments. When you click on the down arrow in the Group Assignment box, you will see that no Groups are selected.

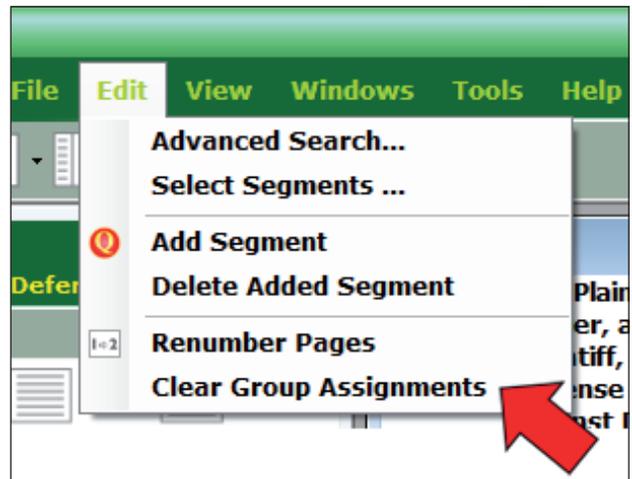


Fig. 54

## F. SEARCHING A TRANSCRIPT (SIMPLE)

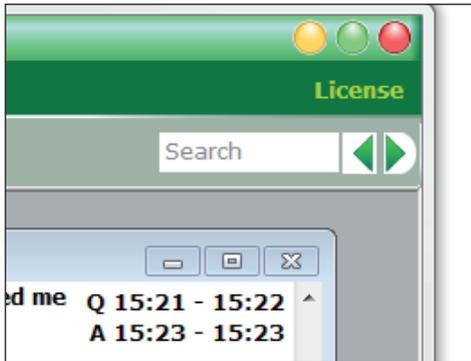


Fig. 55

Depo has a simple and an advanced search function. For a simple search, type the search term in the window at the upper right of the screen. When you click on the advance or back arrow, you will be jumped to the next “hit” which will be highlighted for easy reference.

In our example, we searched on “question.”

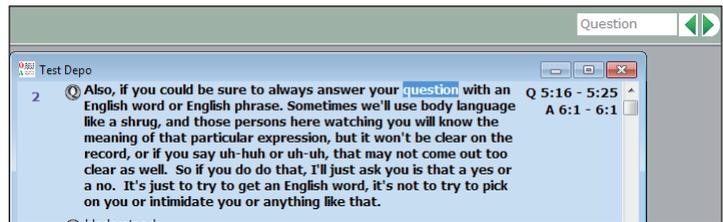


Fig. 56

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## G. ADDING A QUESTION

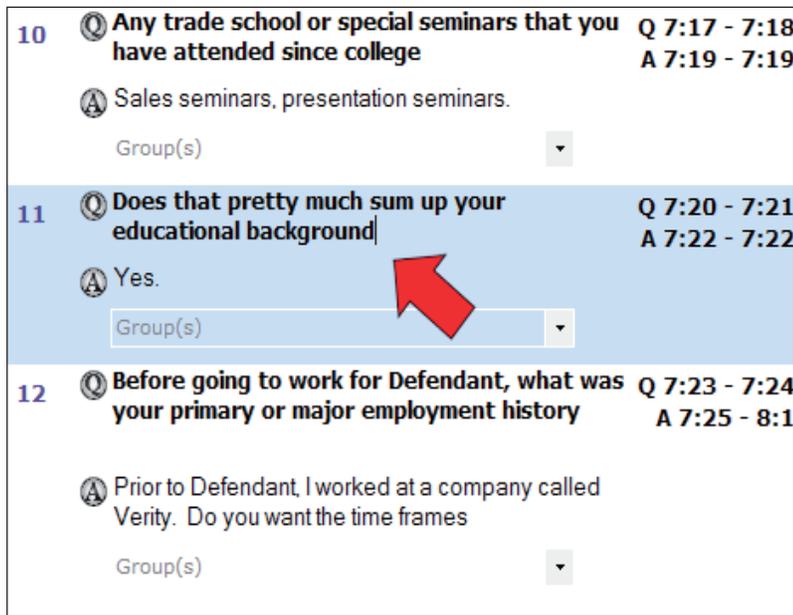


Fig. 57

When preparing your trial book, invariably, you will think of questions that were not asked at the deposition. We have taken care of that eventuality by including the ability to add questions and locate them where they fit the context. The first step is to highlight the Segment in the transcript that you want the “added” question to be placed UNDER. You do this by left clicking anywhere in the question area. The entire Segment will be highlighted in blue.

Click on the yellow Q in the red circle icon.

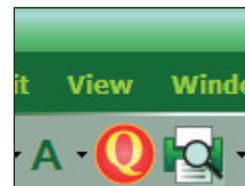


Fig. 58

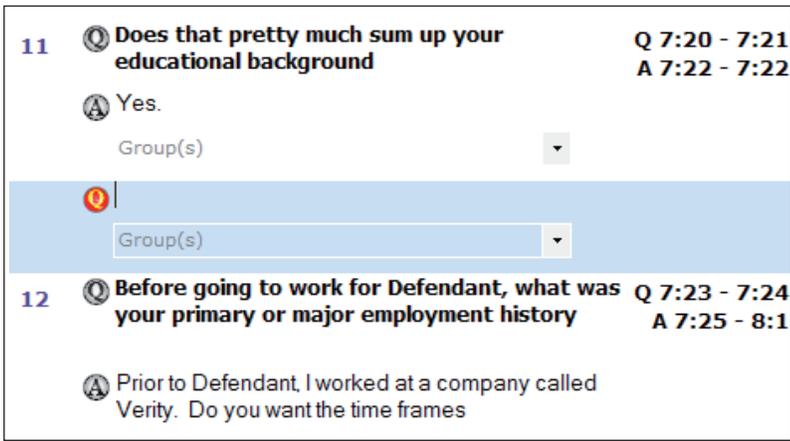


Fig. 59

You can also add a question by, again, highlighting the segment you want the question to be placed under and click on the Edit command on the Menu bar and select Add Segment.

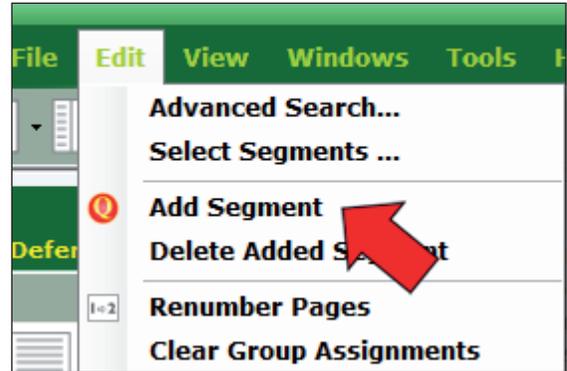


Fig. 60

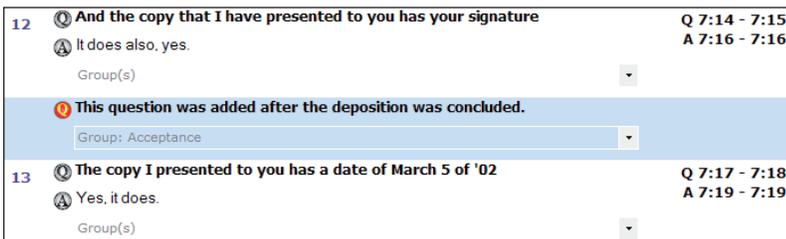


Fig. 61

You will note the Group assignment (Acceptance) below the question that was added. The Group assignment to an added question (Segment) is performed the same way as when selecting Segments (or answers). Of course when you print your work, there will be no citation to the transcript.

You can also use the Add Segment feature to make notes to yourself. For instance a note that you want to present an exhibit to the witness, i.e., Show Witness Exhibit 32.

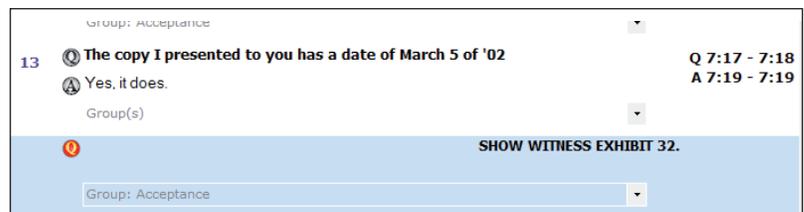
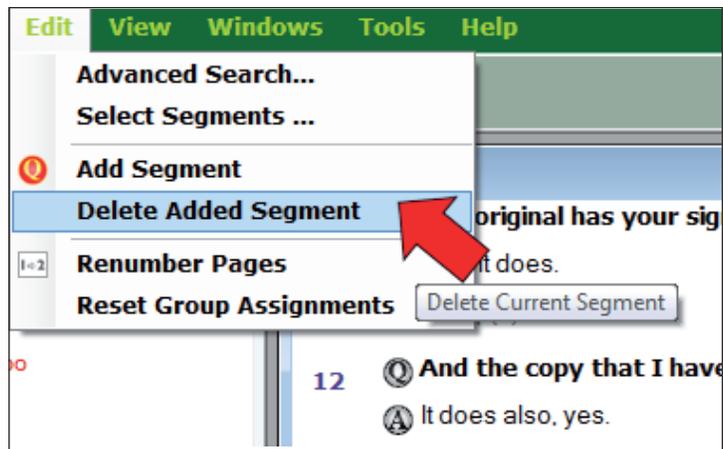


Fig. 62

Be sure to assign your note to the relevant Group so that it prints in the correct location in your trial book.

## H. DELETING AN ADDED QUESTION



If you change your mind about the added question, just highlight the question, click on Edit and click on Delete Added Segment.

Fig. 63

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## I. REMOVING EXCESS VERBIAGE

It is more usual than not to see questions and answers in the transcript that contain rambling or excess verbiage. Quite often the question needs editing to be more concise or the answer contains expressions that are not relevant to the question. The attorney will want to remove the excess verbiage in order to “clean up” his/her trial book. This can easily be done by blocking and deleting as you would any text in a letter or motion you are drafting.

We caution that when doing this editing, be sure that the context of the answer is not changed or the context of the question. To be accused of purposefully manipulating the testimony is more of an embarrassment that any attorney wants to suffer in front of a jury; let alone losing all credibility with the judge.

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## J. RENUMBERING PAGE NUMBERS

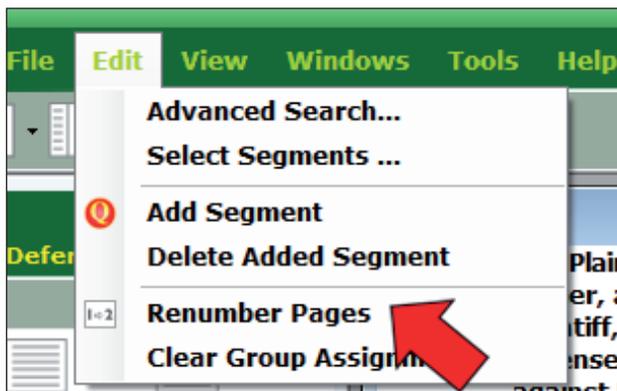
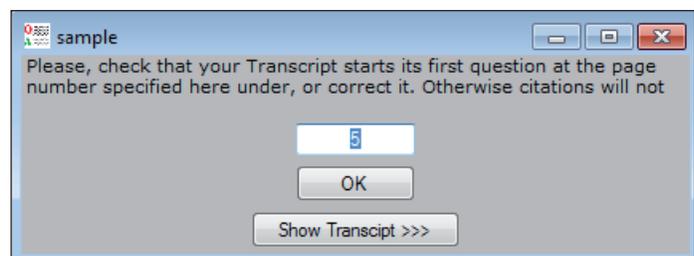


Fig. 64

When you click on Renumber Pages you will be returned to the Verify Page Numbers screen (see Fig. 65). Just adjust the number and click on OK.

If at any time you discover that the page numbers in Depo do not match the page numbers in the transcript, that can easily be corrected. Just click on Edit on the menu bar and select Renumber Pages.

Fig. 65



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## K. COLORING YOUR TEXT

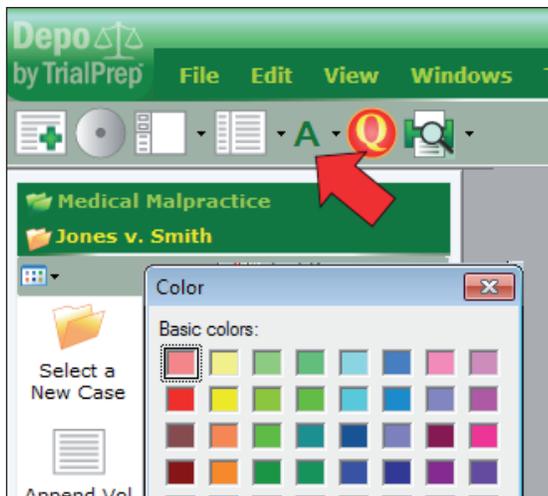


Fig. 66

For those who wish to color text for printing, first highlight the text you want to color and then click on the capital A. The color pallet will appear and the desired color can be selected.

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## L. TEXT EDITOR

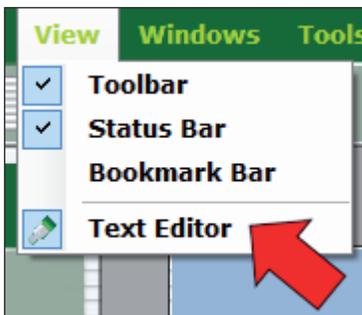


Fig. 67

The Text Editor is a great tool if you want to parse out some of the testimony. Click on View on the Menu Bar and select Text Editor. The window on the left (see Fig. 68) opens and you see your transcript on the right. Every time you click on a Segment in the right window, it is automatically added to the left window. When you are done, print your work for your use.

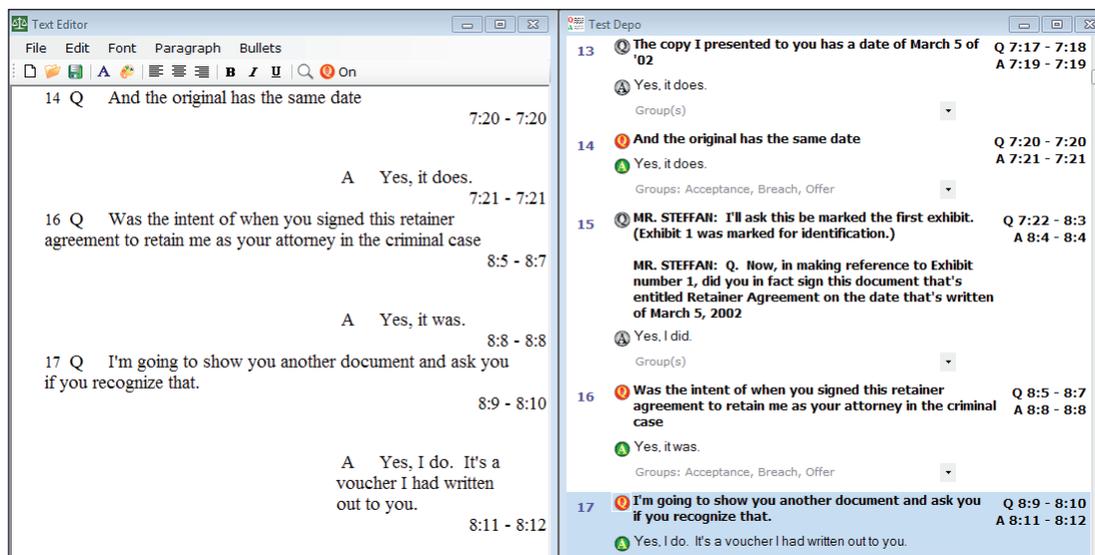


Fig. 68

You will note that the segment number is to the left of the Q in Text Editor. We included this feature for those users who may use the Text Editor to create a first draft of their trial book. With the segment numbers assigned in Text Editor, the user can easily return to Depo and deselect those segments that will not be needed.

## M. BOOKMARKS

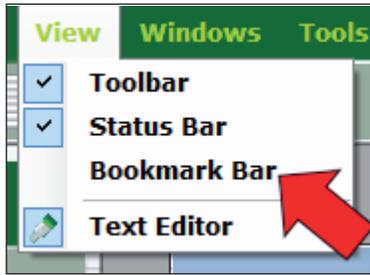


Fig. 69

The bookmark icons are not normally seen but can be added to the icon bar if desired. Click on View on the Menu Bar and select Bookmark Bar.

Figure 70 is the Bookmark tool bar.



Fig. 70

From left to right you can add a bookmark or remove it and you can move up or down within the transcript to previously added bookmarks.

As you see in Figure 71, you can also bookmark a segment by clicking on the number to its left. When you see the Segment number highlighted, you know the Segment has been bookmarked.

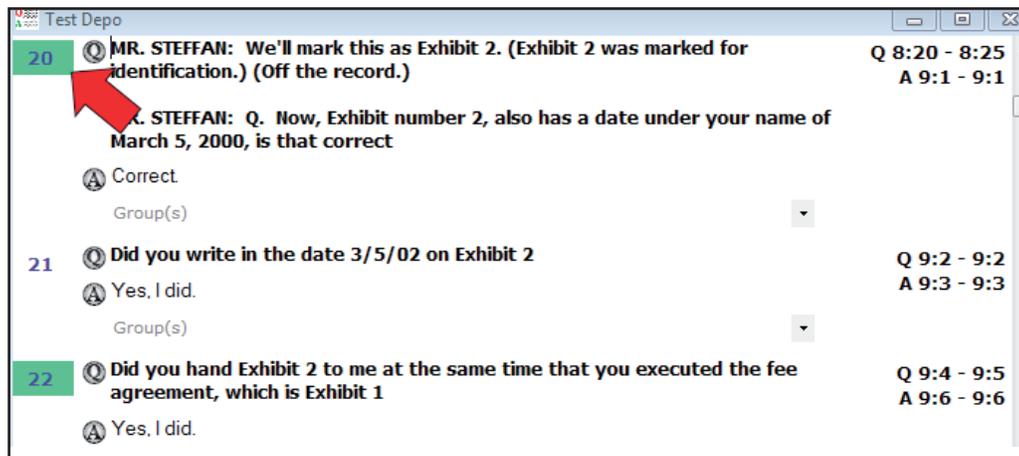


Fig. 71

Simply click on the number again and the bookmark is removed.

## A. FORMATTING (PAGE SETUP) YOUR TRIAL BOOK

Each attorney may want their Trial Book to look a little different. We have all established a look that we are comfortable with. Depo has been designed to allow the attorney to create any look that he/she prefers. Start with clicking on File on the Menu Bar and then click on Page Setup.

### 1. SEGMENTS

The Page Setup window will appear as you see in Figure 73 *infra*. The segment tab is positioned in front of the other tabs.

I have set this up the way I like my Trial Book. I like a lot of “white space” so that I can quickly scribble notes while the witness is testifying. I usually only get four or five questions per page. Therefore, I have a lot of space between my Segments (remember, that is what we call a question and its answer) and I like to have the answer to be printed on the right half of the page only.

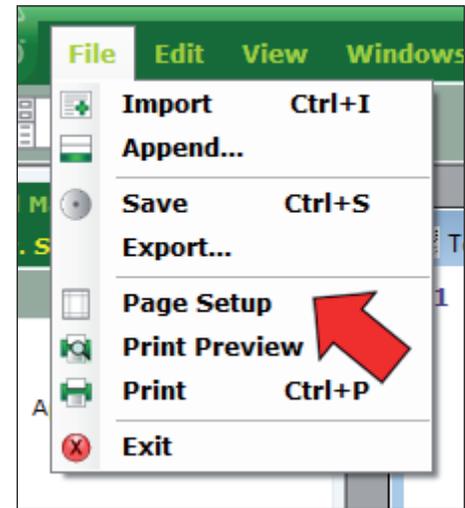


Fig. 72

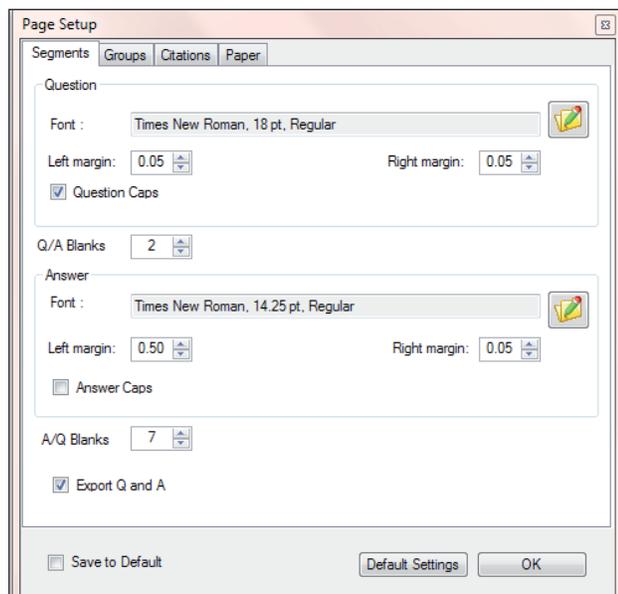


Fig. 73

You will notice that the look of the question and answer can be set differently. I like my questions to be full caps with 18 font and the answer about 14 not in full caps. My question margins at one-half inch on both sides, but the answer’s left margin to be half the page in. The blank space between the question and its answer (Q/A) I set at 2 but between the answer and the next question (A/Q) I set at 7.

I like the question in my Trial Book to have the Q before it and the same with the answer, so I check the box: Export Q and A. If you don’t want them to appear in your work, uncheck the box.

To select the font, click on the font icon.

## 2. GROUPS

The next operation is to set up the way you want the Groups to appear. Click on the Groups tab to bring it to the front and see the Group options. Each Group is designated by its name at the beginning of the Group assignment. Therefore, you are able to select the font and font size you want the Group name to appear.

If you select starting each Group on a new page, the Group name will be at the top of the page, centered.

For US deposition transcripts, you can select how you want the Segments numbered (Group numbering; see Fig. 74) or disable numbering all together.

For Canadian discovery transcripts, this option is not available.

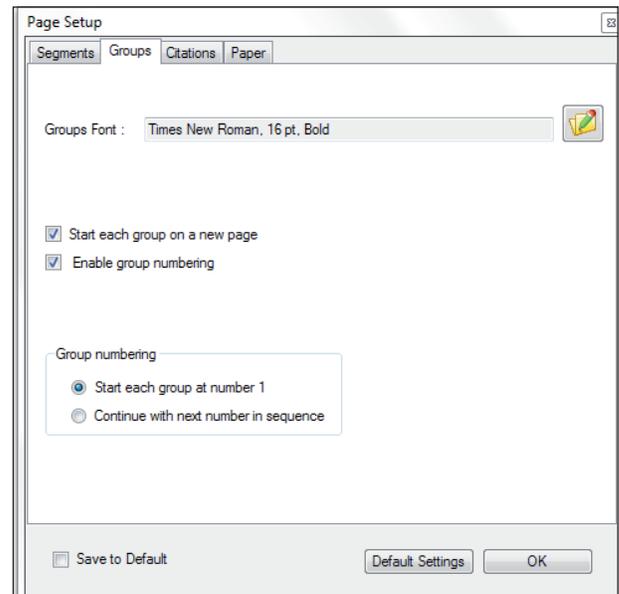


Fig. 74

## 3. CITATIONS

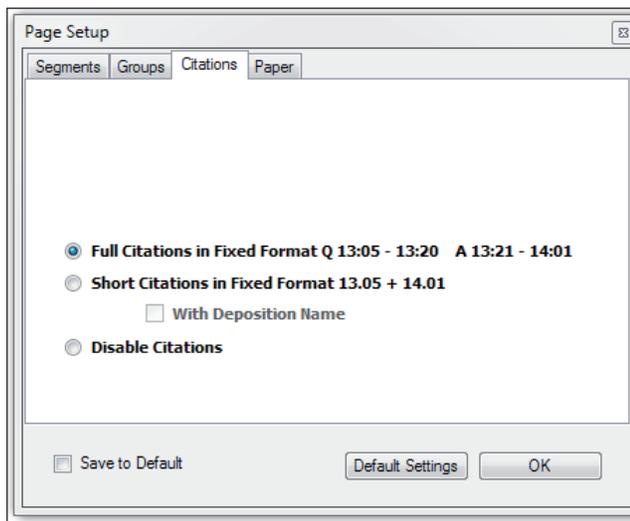


Fig. 75

Click the citations tab to bring into the front. Depo offers several citation (page and line numbers) formats (see Fig. 75).

1. You can include the transcript name;
2. The regular format includes the starting and ending page and line numbers of both the question and its answer;
3. The short format only shows the starting and ending page and line numbers of the segment (question and answer together);
4. The option of no citations at all.

You will want to use the format “including the transcript name” where you have several transcripts appended. This will especially occur where you have appended transcripts of an expert who has testified in several lawsuits and may have given different opinions on the same issue.

Because of programming limitations, the transcript name is only available when using the Short Citation feature.

To print your work without page and line number citations, select Disable Citations near the bottom of the window.

## 4. PAPER

Some customers have requested that we add the ability to color code text in Version 3.

Click on paper tab to reach these options. Therefore, we offer the option to print in color or just black. For those using the color feature, they may want to print in black until they have the final product done. See section K of Chapter VIII for a discussion on color coding text.

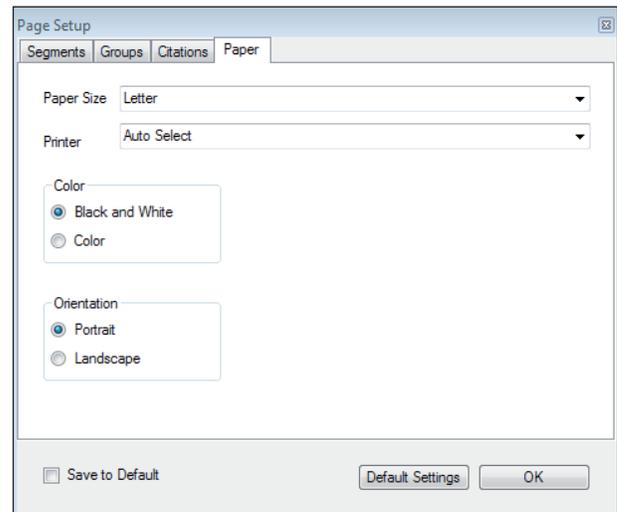


Fig. 76

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## B. PRINT PREVIEW

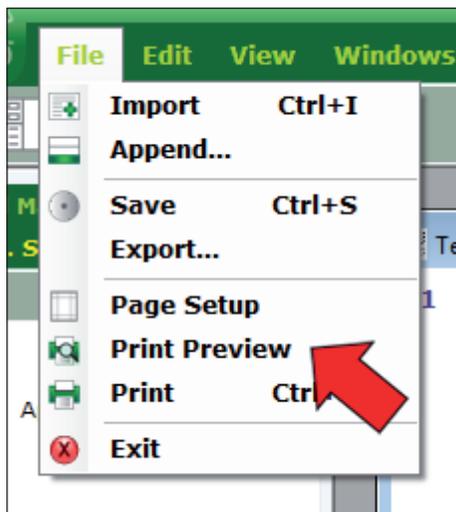


Fig. 77

In Figure 78 you see an example of my Trial Book with the settings we discussed earlier. Print Preview only displays one page at a time in the single page view. Therefore, it is necessary to click on the up/down arrows on the upper right of the window to see additional pages. You can also elect the 2,3,4 or 6 page view as well by using the icons to the right of the magnifying glass icon.

Depo offers a paper saving feature of Print Preview. This way the work can be reviewed before printing. Giving the user the opportunity to make corrections or additions. You do this by clicking on File and then Print Preview.

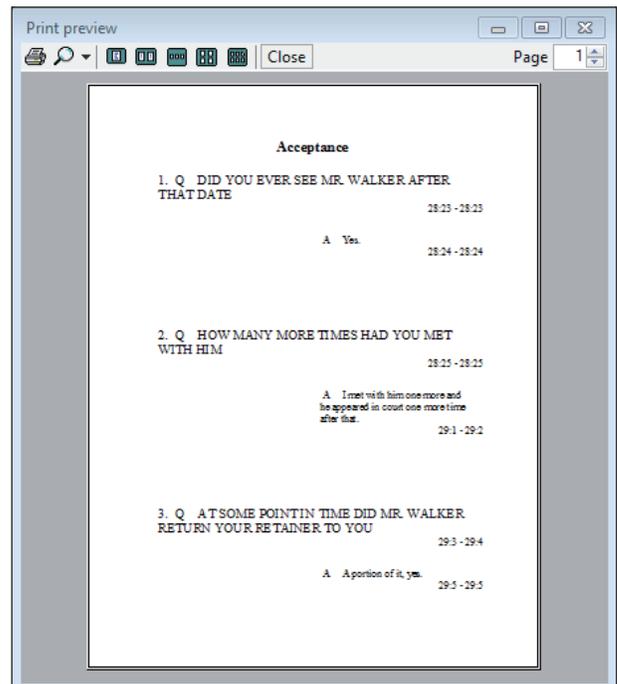


Fig. 78



Fig. 79

You can print (or just print preview) the trial book by clicking the Print Preview icon to the right of the yellow Q, or the Print function by clicking on the down arrow to the left of the icon (see Fig. 80).

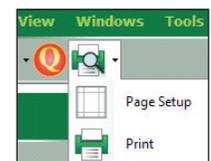


Fig. 80

## C. PRINTING

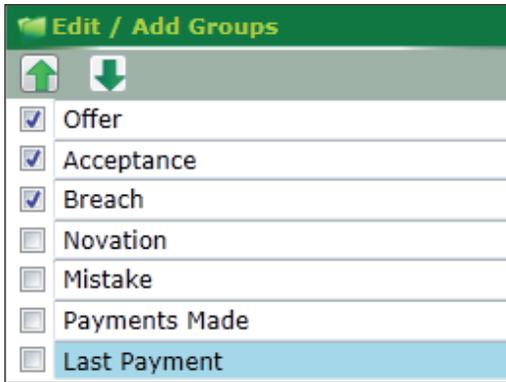


Fig. 81

Select the Groups you want to print. The unselected Groups are ignored by Depo. Once you have selected the relevant Groups, arrange the order you want them to print by left clicking the Group once and move it up or down with the green arrows. In Figure 81 example, the Groups Offer, Acceptance and Breach will print in the order you see them.

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## D. TRANSFERRING YOUR WORK FROM ONE COMPUTER TO ANOTHER

There may be times that you start working on a transcript and you want to take your work home or to another computer to continue your task. You do this by exporting the transcript. The first step is to open the transcript.

Then click on File on the Menu Bar and click on Export.

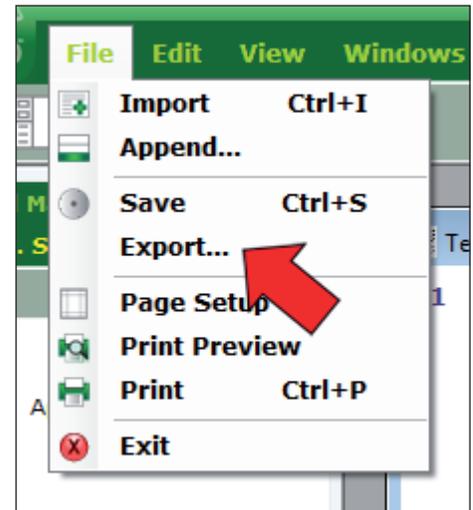


Fig. 82

The Export window opens to allow you to save the file wherever you like. In the example, we have saved the file to the desktop.

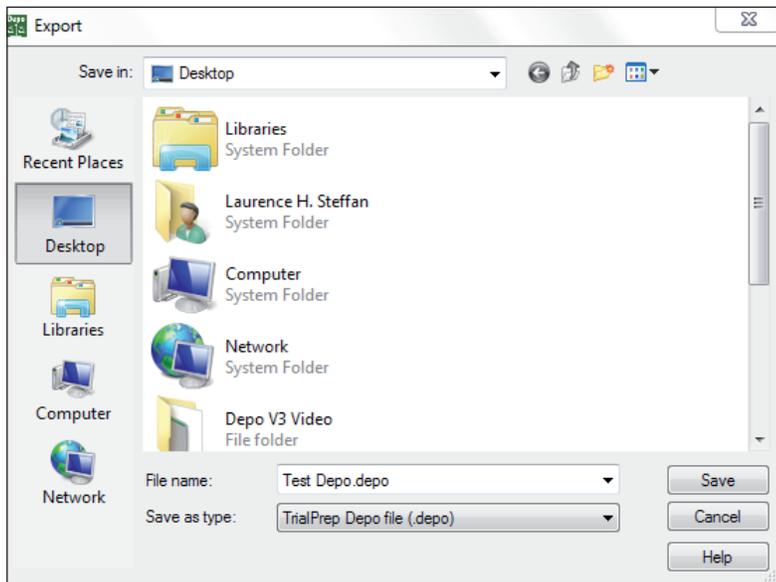


Fig. 83

You will notice that the file name has been changed from Test Depo to Test Depo.depo. When you are ready to re-import the file back to the original computer, you will need to delete the original transcript (in this case Test Depo) and then import or drag and drop the file with the .depo extension into your Case File for further operation. You can do this as often as you like. Just be sure that no one makes any modifications to the transcript on the first computer as all of their work will be lost when you re-import the file.

Fig. 84



Advanced features are usually involving several transcripts at once. Therefore, before using this advanced feature, you should be comfortable with other Depo concepts.

### A. SEARCHING IN SEVERAL TRANSCRIPTS

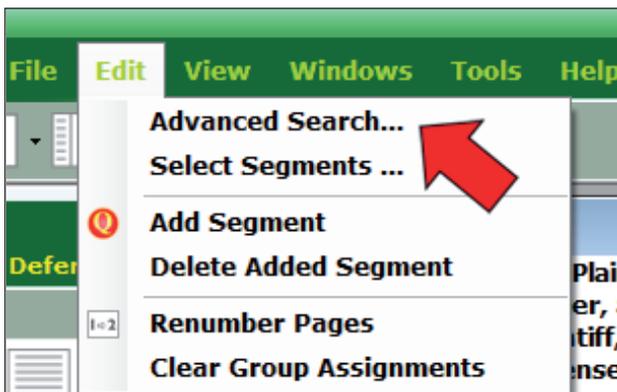


Fig. 85

To use this search function, all of the transcripts you want to search with the same criteria must be open. Then click on Edit on the Menu Bar and then click on Advanced Search

You will be taken to the Advanced Search window (see Fig. 86). You will see all open transcripts listed on the left. Closed transcripts in your Case File will not be listed. Select the transcript(s) you wish to search by clicking in the grey box to the left of the transcript name (see Figure 86).

Fig. 86

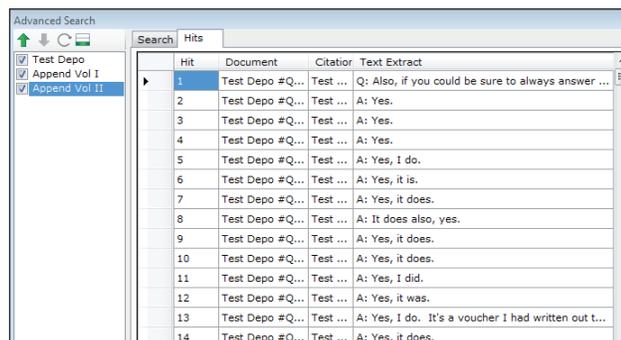
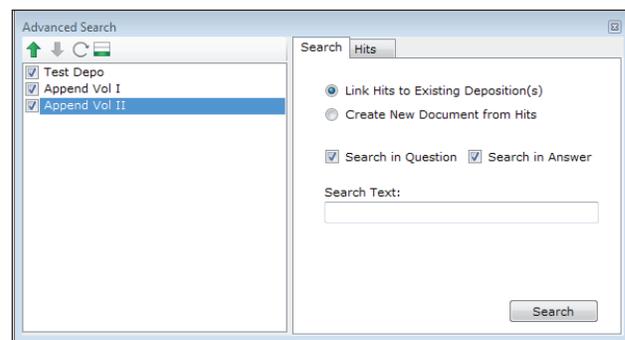


Fig. 87

When you select Link Hits to Existing Transcript(s) (see Fig. 86), you will see the number of hits; the transcript in which it is found with the Segment number (#QA) (see Fig. 87); the page and line number citations and the text. The columns can be resized in the same manner as in many other programs.

The Segment number is the number in the left column placed by the program.

If you select Create New Document From Hits (see Fig. 86) , you will be able to print out the information retrieved from the search. And you can search questions only, answers only or both.

We suggest you click on Tools on the Menu Bar and select Options. Here you can change where your work is saved, if you desire. More importantly, you can select how often your work is saved automatically. The program defaults to saving every ten minutes. I change that to every one (1) minute. I don't mind the "save flash" knowing if I lose power, I don't lose much work.

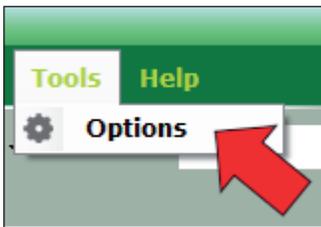


Fig. 88

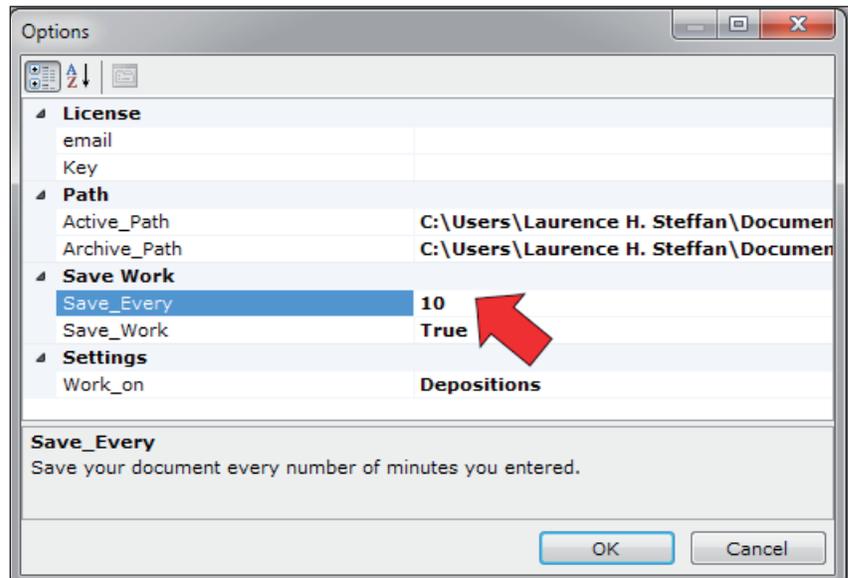


Fig. 89

Under Help are several guides for your use, including this tutorial.

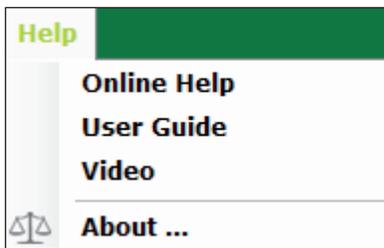


Fig. 90

I know that you will enjoy this program. We are always looking for new ideas to improve Depo, so please drop us a line with your ideas. Of course if you discover any problems or difficulties with Depo, we want to hear about them too. Just email us at [support@trialprepllc.com](mailto:support@trialprepllc.com).

**Laurence H.Steffan**  
**Attorney at Law**  
**Member California Bar**  
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# APPENDIX 1 - ICON REVIEW

<p><b>The Left Panel</b></p>	<p><i>The left panel has 2 boxes, the file-browser and the group-editor. It is possible to see one or the other, both, or none as follows:</i></p>
	<p>Shows both the File Browser and Group editor</p>
	<p>Shows the File Browser only</p>
	<p>Shows the Group editor only</p>
	<p>Hides the left panel to leave more room in the Workspace.</p>
<p><b>The File Browser</b></p>	<p><i>In the left panel, the file browser displays the following icons:</i></p>
	<p>Green folders represent a Type of Case.</p>
	<p>Yellow folders represent a Case (we call it Case (File) Name). The Case is always located under the Type of Case folder.</p>
<p><b>The Type of Case folder</b></p>	
	<p>This icon represents a transcript, which is always located in a Case folder.</p>
	<p>This is the icon used to Archive a Case</p>
	<p>This red cross is used to Delete (typical).</p>
	<p>Rename a case or a type of case folder</p>
	<p>The red star means New. You may find it combined with a green folder to create a new Type of Case or a yellow folder to create a new Case.</p>

<b>Transcript Window Views</b>	
	Transcript Edit layout
	Compact layout
	Combination of the Compact & Edit layout
<b>Functions Available for Working With a Transcript</b>	
	Import a Transcript
	Append a Transcript
	Add a Question
	Open Text Editor
<b>Functions Available for Printing Your Trial Book</b>	
	Page Setup
	Print Preview your work (Trial Book)
	Print your work (Trial Book)
<b>Working with Groups</b>	
	Move selected Group up from its current position
	Move selected Group down from its current position

**ACTIVE:** All current cases (that are not closed) are stored in an area called the Active area versus the Archive area where the closed cases are stored.

**APPEND:** The ability to append (make one file) out of two or more transcripts. This way if a witness testifies about issue A on day one and then again on day three, all of that testimony will be grouped together when the work is done.

**ARCHIVE:** The method of storing and removing closed cases from the Active area without deleting the case. Archived cases can be restored if necessary.

**CASE (FILE) NAME:** The name of the folder that will be stored under the Type of Case folder. We recommend the Case Name be the primary plaintiff and primary defendant, i.e., Jones v. Smith. All transcripts taken in the case will be stored under the relevant Case Name.

**COLOR PALLET:** The colors that can be selected from to color text for color printing.

**DRAG/DRAGGING:** A means of pointing to an item, holding down the left mouse button, moving the item with the pointer, and then releasing the mouse button.

**DRAG AND DROP:** A method of moving a file from one location to another without having to search the computer hard drive or removable medium by using Windows Explore or a similar after market program.

**EDIT QUESTIONS OR ANSWERS:** The ability to remove surplus verbiage from the saved work to “clean up” the Trial Book. This is done by blocking and deleting as you would in any word processor.

**EXPLORER:** Visible on the left side, the Explorer displays and organizes file and folders. Files are transcripts, yellow folders are Cases while green folders are Type of Cases. These files and folders are also accessible from Windows. Their actual location in Windows appears in the status bar at the bottom of the Depo window, when you select a file or a folder in the Explorer.

**GROUP(S):** The name we have given what would be understood to be legal issues or legal concepts. Groups are created by the user to identify the legal issue the witness is testifying about. There may be ten or thirty Groups to a transcript (or more), depending upon the complexity of the testimony. When segments/answers are assigned to a Group, they are all collated together when printing the work no matter where they are found in the transcript(s).

**ICONS:** Unique pictures of various functions that can be implemented while using Depo.

**IMPORT:** Method of copying a transcript into Depo. The original transcript is never altered by Depo. Can be done either by selecting the transcript from where it resides on the hard drive or CD or by the commonly used drag-and-drop method.

**RENAME:** The ability to rename the transcript. This is particularly valuable when the transcript reporter named the electronic version of the transcript something other than the deponent's name.

**RENUMBERING:** Sometimes Depo is not correct in determining the starting page of the questioning. If the user discovers that the page numbers in the Trial Book do not match the official transcript, this function can be used to make the correction. If this feature is implemented, all prior work is saved and the correct page number replaces the previous incorrect page numbers.

**RESTORE CASE:** The action of re-opening a case previously closed. This action will move your case back again among the other active cases (cases that are not closed)

**SEARCH (ADVANCED):** Can search multiple transcripts at the same time, save the results and print selected testimony.

**SEARCH (SIMPLE):** Function that allows the user to do word or number searches in the transcript to locate desired testimony. The "hit" is highlighted and can be jumped from one to another.

**SEGMENT:** Combination of both the question and the answer. Because the question and the answer can be manipulated independently, we call the combination a Segment.

**TEXT EDITOR:** A function to select text from the transcript that can be printed and used to analyze what segments the user wants to include in their trial book.

**TRIAL BOOK:** The printed document that will be used at trial to either direct or cross-exam a witness.

**TYPE OF CASE:** Term we use for major areas of practice, such as Contracts, Personal Injury, Employment Law, etc. The reason for the Type of Case is so that Groups created for one area of law will not be seen in other areas, so as to not clutter the screen with inappropriate verbiage. Groups, once created, are saved for future use.

**VIEWS:** The ability to select from several options to view more than one open transcript at a time, such as vertical, horizontal, cascade.

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